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8,000 Mutual Ice Co. 6s, 1935.
10,000 Standard Oil Co. of Cal. Gold Notes, 5s, 1933.
2,000 Tidewater Portland Cement Co. 1st 6s, 1929.
20,000 Western Electric Co. 5s, 1944.
Alexandria Ground Rent—Annual Income \$100.

RAILROAD STOCKS

22 Shares Atlanta & Charlotte Air Line Rwy.—par \$100.
40 Shares Baltimore & Ohio Pfd.—par \$100.
132 Shares Baltimore & Ohio Com.—par \$100.
33 Shares Gulf, Mobile & Northern R. E. Pfd.—par \$100.
303 Shares Penna. R. R. Co.—par \$50.
264 Shares Richmond, Fredericksburg & Potomac Div. Obligations—par \$100.
175 Shares Southern Rwy. Pfd.—par \$100.
211 Shares United New Jersey Railroad & Canal Co.—par \$100.

PUBLIC UTILITY STOCKS

10 Shares Alexandria Water Co.—par \$50.
30 Shares Consolidated Gas, Electric Light & Power Co.—par \$100.
66 Shares Penna. Water & Power Co.—par \$100.

BANK AND TRUST COMPANY STOCKS

40 Shares Citizens National Bank of Baltimore—par \$10.
2 Shares Continental Trust Co. of Baltimore—par \$100.
30 Shares Mercantile Trust & Deposit Co. of Baltimore—par \$50.
113 Shares Merchants National Bank of Baltimore—par \$10.
300 Shares Western National Bank of Baltimore—par \$20.

INDUSTRIAL AND MISCELLANEOUS STOCKS

60 Shares American Can Co. Pfd.—par \$100.
34 Shares Bismarck Land & Improvement Co.—par \$50.
4 Shares Canton Co. of Baltimore, Augmented Stock.
17 Shares Crown Cork & Seal Co. of Baltimore Pfd.
1 Share Industrial Building Co. of Baltimore Com.
10 Shares Industrial Building Co. of Baltimore Pfd.
6 Shares Merchants & Miners Transportation Co.—par \$10.
30 Shares Motor Service Building Pfd.
100 Shares Tidewater Portland Cement Co. Com.
1 Share Virginia-Carolina Chemical Co. Pfd.—par \$100.
1 Share West Virginia & Pittsburgh Sand Co.

FIRST MORTGAGE NOTES

\$6,000 Note of George P. Anderton and wife, 6%, due November 1, 1927.
4,000 Note Interest payable May and November 1st.
5,500 Notes of Julian T. Bowman and wife and Warren S. Grubbs, 6%
1927. Interest payable January and July 1st.
\$500 Note of Clay L. Brittle, William P. Wools,
June 13, 1925, 6%. Int. 1st
2,000 C. Caproletti, 6%. Int. 1st
5,000 S. C. Interest
3,000

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CONTENTS

Editor's Preface 5

ArticlesReforming for Mission
Stacy F. Sauls 7Proposed Resolutions from the 2012 *Blue Book*
37Same Gender Blessings and Church Canons
Robert W. Prichard 115**Notes and Resources** 139

Editor's Preface

The date of publication of this issue was delayed in order to draw upon material released in the late spring in preparation for the July 2012 General Convention. The issue contains three articles, all of which relate to the convention. In the first article Bishop Stacy F. Sauls shares his vision about a reformation of The Episcopal Church and its budgetary priorities in order to make it a better instrument of mission. The second article is a collation of General Convention resolutions prepared by the committees, commissions, agencies, and boards of The Episcopal Church and printed in the 2012 *Blue Book* that have implications for the *Constitution and Canons*. The final article is a close examination of the implications of one of those resolutions—the proposal from the Standing Commission on Liturgy and Music for trial use of a rite of blessing for same-gender unions.

Robert W. Prichard
Editor

Reforming for Mission

Stacy F. Sauls¹

Everyone who has ever written or listened to a sermon on stewardship knows at least this fundamental reality: the way to tell what someone's values are is to look at a checkbook register. What people spend money on reveals what is really important to them. The same is true with organizations. If you look at their budgets, you will see what matters to them. Jesus put it this way: "Where your treasure is, there your heart will be also."² In other words, do we put our money where our mouth is? We need to know if that is true about ourselves. And if it is not, we need to reform.

Every three years the General Convention passes a budget for its church-wide ministry, which is carried out by a corporation known as the Domestic and Foreign Missionary Society. The Domestic and Foreign Missionary Society was formed by a special General Convention in 1821 and incorporated under the laws of New York in 1846. A note about the history of the Domestic and Foreign Missionary Society is in order. It began at a moment of revival in the life of the Episcopal Church, one of the consequences of which was a growing awareness of the Church's missionary vocation.³ It was not an idea that caught on at first, the prevailing wisdom being that mission was the concern of those with an interest in it.

¹ Bishop Sauls is the Chief Operating Officer of The Episcopal Church. He is the former Bishop of the Diocese of Lexington.

² Mt. 6:21 (NRSV).

³ Powel Mills Dawley, *The Episcopal Church and Its Work* rev. ed. (New York: Seabury Press, 1961), 57.

8 Reforming for Mission

Mission, however, is not an ancillary concern of the Church but the very reason for the Church's being and is not properly the exclusive purview of a special interest. Rather the "heart of this body is mission – domestic and foreign mission, in partnership with anyone who shares that passion."⁴ Mission is the lifeblood of the Church itself. Accordingly, the General Convention amended the charter of the Domestic and Foreign Missionary Society in 1835 so that Article II stated: "The Society shall be considered as comprehending all persons who are members of this Church."⁵ That provision became part of Article I of the charter at the General Convention of 1904,⁶ and the same remains true today. Every member of the Episcopal Church is also, by virtue of being an Episcopalian, a member of the Domestic and Foreign Missionary Society.⁷

This reality has profound theological significance as part of the lived application of our baptismal theology, as expressed in the *Book of Common Prayer* since its revision in 1979. Through Holy Baptism, every baptized person becomes a minister. It is crucial to our understanding of the ministry of the Church that it is shared by all baptized persons, not only by ordained persons. Together we share in Christ's eternal priesthood.⁸ Listed first among the "ministers of the Church" are lay persons, *i.e.*, all baptized persons. That ministry is in turn linked specifically to mission:

⁴ Katharine Jefferts Schori, "Ubuntu and the Body of Christ" (Presiding Bishop's Opening Sermon to the General Convention, July 8, 2009).

⁵ Edwin Augustine White and Jackson A. Dykman, *Annotated Constitution and Canons for the Government of the Protestant Episcopal Church in the United States of America otherwise known as The Episcopal Church*, 1981 edition, 2 vols. (New York: Church Publishing, Inc., 1997), 1:216.

⁶ White and Dykman, *Annotated Constitution and Canons*, 1:228-229.

⁷ Canon I.3 (2009) (hereinafter cited without reference to year).

⁸ *The Book of Common Prayer* (1979), 308.

Q. How does the Church pursue its mission?

A. The Church pursues its mission as it prays and worships, proclaims the Gospel, and promotes justice, peace, and love.

Q. Through whom does the Church carry out its mission?

A. The Church carries out its mission through the *ministry of all its members*.⁹

To be a Christian, a baptized person, is necessarily to be a missionary. But more particularly, to be an Episcopalian is explicitly to be a missionary. It is how we understand what the ministry of the baptized is. It is a matter of who we are.

Indeed, the growing awareness among Episcopalians of their missionary identity in the mid-19th century resulted in a doubling of the Domestic and Foreign Missionary Society's income as well as a growing sense of missionary enthusiasm throughout the Church and, before long, the sending of missionary bishops.¹⁰ There is an important lesson for us in all this. Our context may be different, but this fundamental reality is striking. In the early 19th century, when the temptation of the Church was to turn inward, and succumbing to that temptation would have been understandable, the Church in fact did exactly the opposite. It called a special General Convention and focused itself outward. And when it did, it grew and thrived. It served the needs of a country expanding westward. It began to look beyond the borders of the United States, especially in Latin America, the Caribbean, Africa, and Asia. Most importantly, it grew in faith, for

⁹ *Book of Common Prayer* (1979), 855.

¹⁰ Dawley, *Episcopal Church*, 58.

the Christian faith is fundamentally about ever-turning outward, which is what love requires. And in that, and I daresay in that alone, is life. “For those who want to save their life will lose it, and those who lose their life for my sake, and for the sake of the gospel, will save it.”¹¹ Back to Jesus again.

Episcopalians do not support a missionary society. They *are* a missionary society. It says something very important. The question before us today is whether we back up who we say we are or not. Being the Domestic and Foreign Missionary Society is something we can measure our checkbook register against. Measuring something against a standard, by the way, is the root meaning of the word *canon*. Our identity and our canon are the same thing. And, of course, our canons make us the Domestic and Foreign Missionary Society.

So, let us examine the budget the General Convention passes for the Domestic and Foreign Missionary Society to live by and see if how we spend our money reflects who we say we are and what it says about where we place our hearts.

The budget of the General Convention is divided into three types of expenses: canonical, corporate, and program.¹² Canonical expenses are defined by canon. They are the “contingent” expenses of the General Convention (Query which of the General Convention’s expenses are “contingent.”), the stipend of the Presiding Bishop and the “necessary expenses” of that office, the “necessary expenses” of the President of the House of Deputies, including staff and Advisory Council as well as other expenses of that office, and applicable Church Pension Fund assessments.¹³ Despite

¹¹ Mk. 8:35.

¹² Canon I.4.6 (b) and (c).

¹³ Canon I.4.6 (b).

that canonical definition, what constitutes “canonical” is subject to some interpretation when it comes to the actual construction of the budget, which tends to treat “canonical” as meaning anything applying to something found in, and especially established by, the canons. Thus, the General Board of Examining Chaplains and its staff are included, as are other canonically established committees, commissions, agencies, and boards (CCABs), and in some but not all years, the Chief Operating Officer.

Corporate expenses are likewise canonically described as “the corporate requirements for the administrative support of the Domestic and Foreign Missionary Society offices.”¹⁴ What constitutes program is left to the imagination, presumably anything other than Canonical and corporate, although the Canon capitalizes *Program* as if it were a defined term but without providing the definition (the opposite of *corporate*, which it does not treat as a defined term but for which it does provide something of a definition). The actual budget process treats Program as those things the Domestic and Foreign Missionary Society is trying to do and to which it provides staff to accomplish.

There are some inherent difficulties in understanding the canonical, corporate, and program expenses of the church-wide budget, however. One is that those terms—canonical, corporate, and program—are church jargon. To the uninitiated, their meaning is not entirely self-evident. Even to students of the canons, their meaning is not self-evident. Furthermore whatever their canonical meanings may be, such definitions are largely if not entirely ignored in the budget process.

To non-church members, and even to church members, it may be helpful to understand that *canonical* expenses are basically related to governance, which is

¹⁴ Canon I.4.6 (b).

12 Reforming for Mission

what the canons set up. *Corporate* expenses are related to the existence of the corporation and basically refer to what we would call administration. *Program* expenses pay for the services the corporation provides and corresponds to mission, the mission of the Domestic and Foreign *Missionary* Society. At the church-wide level, those services mostly relate to providing grants to further the work of the Church both within the dioceses of The Episcopal Church and beyond them, the sending of missionaries (these days mostly short-term missionaries as opposed to those who spend their entire ministries in another country), and programs to support and strengthen mission by the more local units of the Church, dioceses, and congregations.

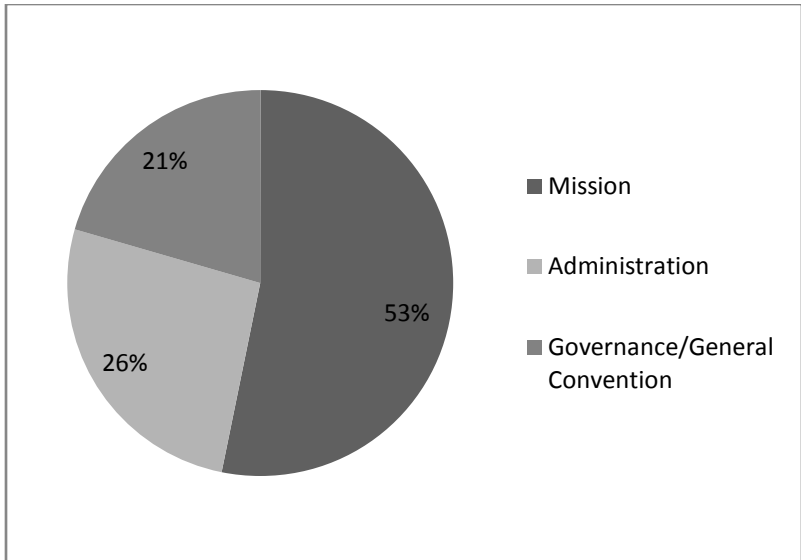
There is another problem, however. How any given line item is classified is something of an art with no hard and fast rules, and it is an art the beauty of which is very much in the eye of the beholder, and it is an art that is variously practiced depending on who is doing the defining. It begins with the Executive Council. It can be modified by the Joint Committee on Program, Budget & Finance, and it can be redefined by the General Convention, although due to the Convention's size and the intricacy of the budget presented to it, that would be difficult to do. There are line items for which the classification is not obvious and others for which the definitions do not strictly apply. For example, the office I hold, Chief Operating Officer, is provided for by canon.¹⁵ On the other hand, virtually all of my work involves tending to the corporate structure and its employees. That makes it more like administration. In some General Convention budgets (indeed, in most) that

¹⁵ Canon I.4.3 (d). The office is canonically established as the Executive Director. Over time, however, it has become more generally known as the Chief Operating Officer. Indeed, a resolution coming forward from the Executive Council at this General Convention would amend the canonical name to correspond with the generally accepted usage.

line item has been considered corporate. In others (2009-20012) it has been considered canonical. In addition, there are some line items that simply defy easy classification. The Presiding Bishop, for example, is a canonical office and certainly has a large governance role. However, it would be difficult to argue that a huge amount of her time, most in fact, is not directly related to mission. Similarly, our communications functions are difficult to classify. Some relate more to evangelism and are thus missional. Others are more related to corporate communications and are thus administrative. Any analysis, therefore, is subject to some interpretation. That analysis, though, is crucial to knowing whether we're putting our treasure into what we truly mean for reasons explained below.

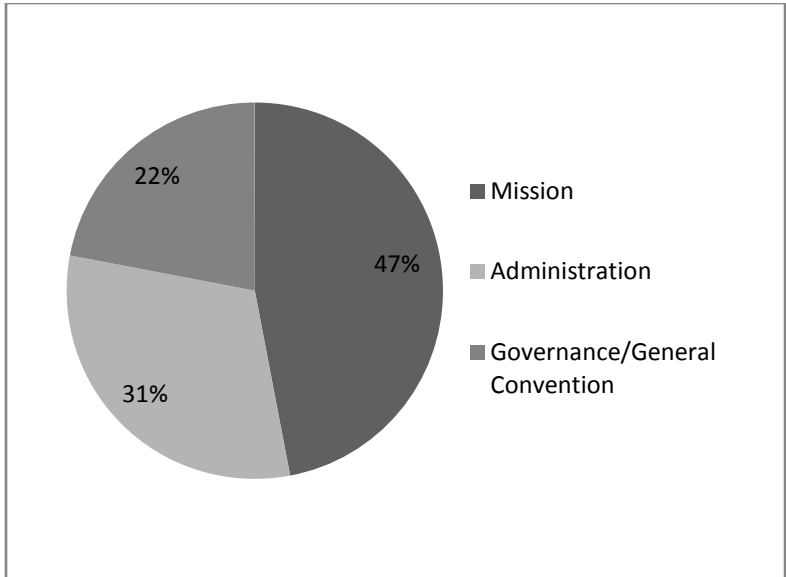
As the broad outlines are reasonably set, however, analyses tend to be similar, though not identical. I have studied two of them. Both analyze the current General Convention budget excluding the expenses of Episcopal Migration Ministries, which though part the Church budget, is a ministry funded by government grants rather than the gifts of the people of the Church. The first analysis was prepared and presented as part of the work of the Budgetary Funding Task Force, on which I served, by Steven Smith, a lay deputy from the Diocese of Vermont, an advisor to the President of the House of Deputies on financial matters, and a retired employee of the Church Pension Group. It determined that 21% of the church-wide budget for the Domestic and Foreign Missionary Society was spent on canonical/governance, 26% on corporate/administration, and 53% on program/mission.

14 Reforming for Mission



I asked Kurt Barnes, the Church's Chief Financial Officer and the Treasurer of the General Convention, administrator of the budget, and someone accountable ultimately to the Presiding Bishop to do the same analysis.¹⁶ It differs slightly from the Smith analysis. Barnes determined that 22% was spent on canonical/governance, 31% on corporate/administration, and 47% on program/mission.

¹⁶ Canon I.4.3 (e).



The two analyses have their differences, which given the complexity of the task is not surprising. What they show, though, is that no matter how you look at it, only about half of the church-wide budget goes into providing program or supporting mission. I question whether that is what the people of our Church intend or expect. More importantly, I question whether that is who we are.

The question that remains is: what is an appropriate level of program expenditures and what is an appropriate level of non-program expenditures. There are standards that can help us. We turn, of course, to the Bible when it comes to determining a spiritually healthy level of personal income to be given away. The Bible likewise provides some standard that may have applicability for institutional life, particularly missional institutions, as well as for personal life. Just after that part about treasure and the heart, Jesus said this:

Therefore I tell you, do not worry about your life, what you will eat or what you will drink, or about your body, what you will wear. Is not life more than food, and the body more than clothing? . . . Therefore do not worry, saying, "What will we eat?" or "What will we drink?" or "What will we wear?" For it is the Gentiles who strive for all these things; and indeed your heavenly Father knows that you need all these things. But strive first for the kingdom of God and his righteousness, and all these things will be given to you as well.¹⁷

And elsewhere:

If any want to become my followers, let them deny themselves and take up their cross and follow me. For those who want to save their life will lose it, and those who lose their life for my sake, and for the sake of the gospel, will save it. For what will it profit them to gain the whole world and forfeit their life?¹⁸

Jesus again. Surely his teaching applies, if anything, to the life of the community of disciples. To what extent does our budget address our anxiety about the spiritually extraneous and to what extent does it address striving for the kingdom of God? To what extent does our budget place a value on survival, which is not much of a value of the Gospel, and to what extent does it place a value on following Jesus, which is? To what extent does our budget express who we are, or who we want to be?

The community of disciples might take some additional guidance from the standards applicable to

¹⁷ Mt. 6:25, 31-33.

¹⁸ Mk. 8:34-36.

other non-profit organizations. The Better Business Bureau has adopted standards for the accountability of charities. The “BBB Wise Giving Alliance Standards for Charity Accountability” were developed to assist donors in making sound giving decisions and to foster public confidence in charitable organizations. The standards seek to encourage fair and honest solicitation practices, to promote ethical conduct by charitable organizations and to advance support of philanthropy.”¹⁹ They cover, in addition to other topics, how charitable donations are spent by an organization. Strictly speaking, of course, the Better Business Bureau standards do not explicitly apply to churches. Query, however, whether the Church would want to argue that it was subject to a *lesser* standard than a secular philanthropy.

Standard 8 of the Better Business Bureau’s Standards for Charity Accountability sets 65% as the minimum standard a charity should spend on program activities.²⁰ Many charities, of course, strive for even less on non-program and more on program. Episcopal Relief & Development, which I consider one of the finest and most effective charitable organizations in the United States²¹ and a charity to which the Better Business Bureau’s standards do apply, aims for and achieves greater than that.

A thorough review of the budgetary practices of other churches is beyond the scope of this article. The 2012 Expense proposal considered by the Evangelical Lutheran Church in 2011 is suggestive, however. That budget allocated 68.2% to mission (subdivided into the

¹⁹ Better Business Bureau, “Standards for Charity Accountability, <http://www.bbb.org/us/Charity-Standards/> (accessed February 6, 2012).

²⁰ *Ibid.*

²¹ I should disclose that I serve on the Board of Directors of Episcopal Relief & Development as a function of being the Church’s Chief Operating Officer.

three categories of congregational and synodical mission, global mission, and mission advancement).²²

By the standards applicable to any other charity, then, the church-wide budget of the General Convention does not hold up well under any analysis in that it allocates about half, maybe less, of its total expenses coming from donors to program.

Does this budget reality reflect our true values? Does this budget reality put our money where our mouth is? One cannot help but wonder whether its shrinking income might not be related to this reality. And ought the people we serve, both within and outside the Church, expect something better?

Here is where a canonical issue to which I have alluded above comes into play. Why is our budget so out of line with our stated value on mission? It is because, I suggest, the canons of the Church, by which we are governed, require that they be. I doubt that was the intention, but it is in fact what has happened.

Canon I.4.6 (d) places a mandatory priority on canonical expenses in the crafting of a budget. It reads: "If in any year the total anticipated income for budget support is less than the amount required to support the budget approved by the General Convention, the canonical portion of the Budget for the Episcopal Church shall have funding priority over any other budget areas subject to any decreases necessary to maintain a balanced budget." The priority on canonical has been broadly applied not only to years in which there is a shortfall but to the construction of the budget throughout the budget process. We are at a moment, I propose, when we must ask ourselves if this in fact expresses our priority. Are governance expenses the thing we hold most dear? Is governing ourselves the

²² Evangelical Lutheran Church, "Recommendation on 2012–2013 Budget Proposal," *2011 Pre-Assembly Report*, section IV, 72.

best way to participate in God's mission in the world? Is it possible to change our stated priorities? What would happen if our stated priority as we seek to engage a post-Christian world were mission and not governance? Is it even possible?

Indeed it is. For one thing, the canons as a theological document, which I think are out of line with our baptismal theology of the ministry of all the baptized and their engagement in God's mission, could be amended. Such a priority might, for example, draw on the Anglican Consultative Council's articulation of the Five Marks of Mission in Anglicanism as follows:

The Executive Council shall submit to the General Convention at each regular session thereof the Budget for the Episcopal Church for the ensuing budgetary period, which budgetary period shall be equal to the interval between regular meetings of the General Convention. The priority of the Budget adopted by the General Convention shall be to further the following marks of mission:

- (1) to proclaim the Good News of the Kingdom,
- (2) to teach, baptize and nurture new believers,
- (3) to respond to human need by loving service,
- (4) to seek to transform unjust structures of society, and
- (5) to strive to safeguard the integrity of creation and sustain and renew the life of the earth.

The "Five Marks of Mission" were developed by the Anglican Consultative Council between 1984 and 1990, and have been widely accepted among Anglicans as a guide for mission engagement.²³ Indeed, our own

²³ Anglican Communion, "Mission—The Five Marks of Mission," <http://www.anglicancommunion.org/ministry/mission/fivemarks.cfm> (accessed February 5, 2012).

General Convention meeting in 2009 adopted the Five Marks of Mission (Resolution D-027) as a standard for the missionary direction of the Episcopal Church.²⁴ The explanation for Resolution D-027, which was proposed by Bonnie Anderson, President of the House of Deputies, states that the Five Marks of Mission “are the accepted standard in the Anglican Communion for participation in God’s mission.”²⁵ The Executive Council as well as the Joint Committee on Program, Budget & Finance was requested to construct the budget for the coming triennium on these five marks. Indeed, the “Core Budget Principles” adopted by the Executive Council at its October, 2011 meeting state: “TEC understands its partnership in God’s mission to be framed by the Five Marks of Mission.”²⁶ Nevertheless, the draft proposed budget submitted by Executive Council to the Joint Standing Committee on Program, Budget & Finance continued the pattern of past budgets with an allocation of 53% to Non-Program and 47% to Program.²⁷ Perhaps it is time for General Convention to go beyond non-binding resolution to canon.

Here is some interesting information. If program/mission constitutes about 47% of the church-wide budget, that means we currently spend about \$51.5 million for that purpose in a triennium. If we constructed our budget by making that the priority rather than governance, and built our budget

²⁴ The Episcopal Church, “General Convention,” http://gc2009.org/ViewLegislation/view_leg_detail.aspx?id=981&type=Final (accessed February 5, 2012).

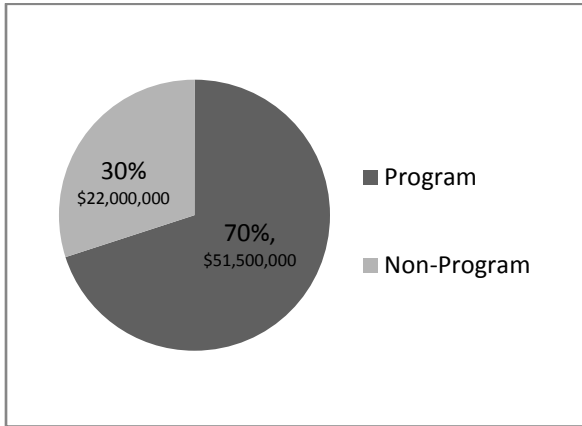
²⁵ The Episcopal Church, “General Convention,” http://gc2009.org/ViewLegislation/view_leg_detail.aspx?id=981&type=Original (accessed February 5, 2012).

²⁶ “2013-2015 General Convention Budget Core Principles and Budgeting Strategies,” (Draft November 2011) (unpublished).

²⁷ “2013-2015 Draft Budget EC Adopted Simplified Jan. 30 [1]” adopted by the Executive Council, January 29, 2012 at Linthicum Springs, Maryland.

accordingly by adhering to the standards of well-run charitable organizations such as Episcopal Relief & Development, even in a moderate way,²⁸ the church-wide triennial budget might look something like this:

Program:	\$51,500,000
Non-Program:	<u>+22,100,000</u>
TOTAL:	\$73,600,000



How might such a budget be funded? Income not related to current giving by the dioceses includes:

Endowment Income:	\$25,300,000
Rental Income:	\$4,000,000
Deficit:	\$44,300,000

How might we fund the remaining \$44,300,000? The current answer is to ask the dioceses to contribute 19%

²⁸ By moderate I mean slightly better than the minimum standards of the Better Business Bureau, but recognizing that we have an asset in our governing structures if they were used missionally but not quite the same high standard of some such as Episcopal Relief & Development. For purposes of discussion, I have posited a reasonable standard as 30% allocated to nonprogram expenses.

of their operating revenue. Current projections for the coming triennium expect the amount collected from dioceses at that rate to be about \$70,600,000, which would more than enough. However, the 19% asking is widely considered (1) too burdensome in its expectations in asking a percentage of diocesan income greater than what dioceses ask from congregations, (2) unwise in that it removes money from the more local levels of the Church at which mission is generally done, and (3) unfair both because it receives varying responses from the diocese thus spreading the church-wide costs unevenly, and because it asks different things from different dioceses in that the dioceses have different practices among themselves as to how the diocesan operating budget is funded. Would not mission be better served by a fairer system that also leaves more money at the local level? And, most importantly, would not mission be better served by bringing the proportional allocation of income more in line with non-profit standards? Perhaps further canonical revision is necessary along the following lines:

Each Diocese of this Church shall be assessed an amount equal to one percent (1%) of the total normal operating revenue of all of its congregations as reported on the annual parochial report. Should any Diocese fail to pay its full assessment, such failure shall be understood as a request for assistance from the other Dioceses of this Church, and the Presiding Bishop, the Bishop thereof, and designated representatives of the Executive Council shall meet to assess how the Church might best render that assistance so that the Diocese may live into its responsibilities as a full member of the Church.

The Executive Council shall submit to the General Convention at each regular session thereof the Budget for the Episcopal Church for the ensuing

budgetary period, which budgetary period shall be equal to the interval between regular meetings of the General Convention. Not less than seventy percent (70%) of expenses of the Budget shall be to further the following marks of mission:

- (1) to proclaim the Good News of the Kingdom,
- (2) to teach, baptize and nurture new believers,
- (3) to respond to human need by loving service,
- (4) to seek to transform unjust structures of society, and
- (5) to strive to safeguard the integrity of creation and sustain and renew the life of the earth.

I would argue that a fairer system would be to have a mandatory assessment of dioceses but at a more reasonable level and based on an amount that is standard from diocese to diocese. Congregational income, which is measured consistently among the dioceses through the parochial report form,²⁹ could be such a standard. The annual operating revenue of all the congregations of the Episcopal Church in 2010 was \$16,206,188,000.³⁰ If the assessment of dioceses was based on their congregational income rather than their diocesan income, 1% would produce income to the church-wide budget of \$48,600,000, \$4,300,000 more than would be minimally needed to fund a budget with a missional priority at a reasonable level. In addition, I suggest, it would be considered both fair and reasonable by the dioceses and would also leave more funding for mission at the local level, \$22,000,000 more in fact.

The 1% standard has other advantages beyond mere budgeting that make it worth considering.

²⁹ Canon I.6.1.

³⁰ Office of the Treasurer of the General Convention.

Because it would be less burdensome to the dioceses, and perhaps more importantly, because it is both fair and imminently reasonable, it could act as an invitation to dioceses who have not participated fully as a matter of missionary strategy (applying resources instead to build the local church) to be full and equal participants with all other dioceses in a united effort to advance God's mission. It would declare a jubilee of sorts, an opportunity for us all to start over. The 1% plan to fund a budget with expenses for governance and administration at a level considered ethical by non-profit standards would not only advance mission. It would strengthen the body to allow it to more effectively work together in the service of that mission.

Though I do favor changing the priority of our budget system from governance to mission, I have no desire to change the basic polity of our Church despite what some uninformed critics have charged. I do, though, have a desire to make our polity serve its intended purpose, as a means to the furtherance of mission and not as an end in itself. I am convinced that it is, in fact, possible to do. Not only is it possible to do, doing so would likely further, and not diminish, enhancing the voice of all the baptized in our communal decision-making.

A major point of my message has never been to propose a solution as to how we might do that. The only "Sauls Proposal," in fact, is that a church-wide conversation needs to take place leading to the opportunity for General Convention to consider a reform proposal not later than 2015, and possibly sooner. What follows, therefore, is meant to stimulate that conversation, and not to propose the answer to the questions we need to be asking about our priorities and our missionary strategy at this crucial moment in the

Church's life. What follows are ideas.³¹ They are not a proposal. They are not even a suggestion. They are not even consistent. They are only "what ifs." Some of them may be good ideas. Some of them may not be. What I believe, though, is that we would benefit from a rational discussion of them. It is that discussion I believe the people of our Church at the most grassroots level want to have, deserve to have, and ought to be heard on.

The first thing I would note is that the website of the General Convention of the Episcopal Church lists over 75 committees, commissions, agencies, and boards, which together constitute our governance structure.³² Not all are funded (although at least 29 are). Not all function. All, however, at least according to the website, exist at least in theory. The General Convention itself is comprised of 23 committees in each House, a total of 46, which typically but not necessarily meet together with their cognate. There are others unique to each House. This is in addition to 109 dioceses and three regional areas³³ in 16 countries, which are organized into nine provinces. Not all of the dioceses can afford to have a

³¹ Responsibility for the ideas I share is mine alone. I would be remiss, however, if I did not acknowledge the very fine work of the Budgetary Funding Task Force, the deliberations of which did much to stimulate my own thinking in this regard. None of these ideas, though some of them are shared by various members of the Task Force, represent a proposal of the Task Force or even a consensus of it. I acknowledge gratefully the contributions of members of the Task Force to my thinking, but the responsibility for even proposing discussion of these ideas is mine alone. Furthermore, many have come from others, both lay and ordained, who have had conversations with me and ideas of their own about structural reform. I lack the ability to attribute them to sources, but I am happy to pass them along.

³² The Episcopal Church, "General Convention," <http://generalconvention.org/ccab> (accessed February 5, 2012).

³³ The regional areas are organized for missionary purposes, but they are not organized into a diocesan structure. They are Navajoland, Micronesia, and Europe.

full-time bishop, which may not at all be a bad thing and even point some ways forward.

Here are some things I have wondered:

- What if all those 75+ committees, commissions, agencies, and boards and legislative committees of the General Convention were reorganized based on function? It seems to me there are six functions that need to be carried out on the church-wide level: (1) supporting mission within the dioceses of the Episcopal Church, (2) supporting mission outside the dioceses of the Episcopal Church, (3) Anglican, Ecumenical, and Interfaith Relations and Collaboration, (4) Promoting Justice and Peace, and (5) Governance. Liturgy and Music may be another separate function or it may fit into the above. Form, after all, follows function.
- What if the hierarchical pyramid of which General Conventions sits at the top with the bottom occupied by disengaged rank and file Episcopalians were flattened to make the grassroots more likely to be involved? What if there were a committee on each of the five or six functions at each level of the Church: congregation, diocese, province, Executive Council, and General Convention that functioned so that each level met with and collaborated with the ones immediately above and below so that ideas, needs, hopes, and dreams flowed in both directions rather than resources flowing only up and directives flowing down? Investment, after all, follows engagement.
- What if we recognized that responsiveness to the broad diversity of church constituencies and the exercise of fiduciary responsibility might be

two different things, with the former requiring a large perhaps somewhat messy structure and the latter better served by a smaller more nimble structure with the necessary expertise available to make informed decisions but was nevertheless responsive to and accountable to the former? Leadership resources, after all, are most effective when doing what they're good at.

Then there is the General Convention itself. It is large. It has a tendency to create winners and losers. It is expensive. Like the question of how to categorize the line items of the budget, just how expensive is a little difficult to calculate. With the assistance of the Treasurer, I identified the following:

House of Bishops	\$342,213
House of Deputies	534,037
Site and Facilities	2,046,321
Publications	161,023
General Convention Office	3,467,682
Other Departments	<u>+ 582,721</u>
TOTAL	\$7,133,997

Now, you will hear that General Convention is actually not a major expense. It constitutes less than 7 ½ cents of every budget dollar. Is 7.5% of every budget dollar for *one meeting* a missionally focused way to allocate our resources?

And, of course, the cost of General Convention to the church-wide budget is only part of the real cost. There is additional cost to the individual dioceses. From my experience as a diocesan bishop, I would estimate the average cost to an individual diocese to be at least \$35,000, which is probably a little low. The price tag excludes the least well-resourced dioceses from sending a full deputation. If, however, 109 dioceses and each

regional area spent an average of \$35,000 each, that would total another \$3.8 million diverted from mission use at the local level. It is impossible to know for sure the amount spent by individuals attending convention, many of whom assume the difference between the actual cost of attending and that paid for by the dioceses. I would think the total was considerable, although savings could not be necessarily translated into money otherwise available for mission, at least without some effort. There is one more thing that makes the cost of General Convention difficult to calculate. There is corresponding income, so the net cost to the church-wide budget is about \$1 million less than calculated above. Some of that is from vendor fees; some, from registration fees. The latter is, of course, once again paid by the dioceses, so the recovery from income is not a significant benefit to them directly.

There is no doubt it is possible to minimize the expense, and as the Standing Commission on Mission and Evangelism has suggested, re-imagine General Convention. Here are some things I have wondered:

- What if the frequency of meetings be changed? Changing the frequency of General Convention would change the amount of time over which the cost had to be accrued. General Convention is now held every three years. If it were every four years, the amount necessarily budgeted both at the church-wide and diocesan levels in each of the years between Conventions would decrease by 25%. If it were every five years, the annually budgeted amount would decrease by 40%.
- What if the House of Bishops, which meets six times in a triennium as opposed to only once by the House of Deputies, met less frequently?

- What if we returned the General Convention to the essence of its function? The event we know as General Convention contains a great deal that is extraneous to accomplishing the business of the General Convention. Might we both reduce expenses and improve the quality of our work by simplifying the event and concentrating on the Convention's function as a deliberative legislative body? General Convention, after all, has not always been the extravaganza it is today. Our polity would not suffer and might be improved.
- What if General Convention met unicamerally so that we could all hear the same debate but voted separately to preserve the balance of powers, much in the manner of the General Synod of the Church of England?
- What if we reduced the number of days necessary for General Convention to meet? Are 8-10 days really necessary? Could the time of the meeting be reduced by changing the rules of how business is submitted? Might this actually allow a broader spectrum of Episcopalians to serve as deputies and not only those with means or enough vacation days? Might a reform like this serve our missional goals of increasing diversity in our membership by increasing diversity in our leadership?
- What if we reduced the size of both the House of Bishops and the House of Deputies? Perhaps deputations could be reduced to two lay and two clergy. Perhaps the House of Bishops might be reduced to bishops elected to their current position (which would rule me out) or to a representational group of bishops elected by the whole in some way? Might such a reform make it feasible for our minority dioceses, most

particularly the Province IX dioceses, Haiti, Navajoland, and Micronesia to send full deputations, thus correcting the under-representation of some of the voices we most need to hear?

- What if we removed General Convention from the church-wide budget altogether and paid for it instead by fees collected directly from the attending dioceses? This would certainly bring a consistent pressure to keep costs down, and it might be fairer. The indirect approach has at least two inherent inequities. One is the obvious one, which we might well choose to embrace, of allocating more of the costs to dioceses with greater income. The other, which I doubt we want to embrace, is that any fairness achieved by asking the wealthier to bear more of the expense is compromised by the fact that not all dioceses, often the wealthier ones, pay their full asking. The biggest danger of a direct allocation system is that some of our smaller dioceses, but also our most promising ones missionally, might be unable to bear the full amount of a direct allocation, thus crippling mission, which is the opposite of what we intend. That danger could easily be overcome, however, by increasing the amount of the grants made to those dioceses through the church-wide budget. There is another unfairness in the General Convention that a direct allocation of cost system might help address. If all dioceses show up as equals, should they not all pay equally for the privilege? Otherwise, some dioceses are making decisions about how other dioceses should spend their money, and those other dioceses are paying for them to be able to do so. Something seems wrong about that. The Diocese of New York

and the Diocese of Northern Michigan, for example, have equal representation. Is there any reason it should cost one more to cast its votes than the other because some of the costs are allocated unevenly and indirectly through the church-wide budget's funding system? Might this also give us an incentive to look differently at the concept of a diocese?³⁴ For that matter, what if General Convention registration fees were the vehicle for collecting an equitable contribution from each diocese for the church-wide budget as a whole, perhaps payable in installments over the period between Conventions? In other words, paying one's fair share of the whole could be thought of as the price of admission, so to speak, to helping make the decisions.

- What if we looked more toward governance at the local levels? We hear a lot these days about subsidiarity,³⁵ at least when it comes to services the DFMS should or should not provide to the dioceses. Subsidiarity, though, is actually a term of political science and, by its definition, refers to the proper level of government decision-

³⁴ The concept of diocese deserves a great deal more thought along with the fact that we have 109 of them. There are limits to what one paper can address, but diocesan viability deserves to be examined further. However, I will admit that I have wondered if the answer is less in combining small dioceses and more in separating the concept of diocese from the ministry of bishop so that diocese as administrative unit need not correspond with the community served by a single bishop. Perhaps the bishop as missional leader could be freed from administrative duties in order to concentrate more on relationally based mission development and the diocese could be conceived as a unit to allow multiple episcopal ministries to capitalize on the economies of scale obtainable by a larger unit.

³⁵ Draft Report of the Standing Commission on the Structure of the Church to the 77th General Convention of the Episcopal Church (unpublished).

making, not the provision of services. It is in exactly that sense, for example, that the *Windsor Report and the Virginia Report* used the term (“the principle that matters should be decided as close to the local level as possible”).³⁶ If we really wanted to apply the principle of subsidiarity, we would apply it first and foremost in the area to which it belongs, governance. General Convention, after all, is the least local of all the expressions of the life of the Episcopal Church.

- What if we had a gathering between meetings of General Convention, especially if we reduced its frequency, that drew on some of the best aspects of General Convention and strengthened our life as a body in non-legislative ways? What if there were a more missional gathering between Conventions, something in the nature of a ministry fair or a mission project? What if we gathered between Conventions to serve the poor, proclaim our faith in word and action, and pray instead of to legislate? What if The Episcopal Church descended on Indianapolis this summer to build houses for the poor? Might we not come to build relationships that brought us together in new ways and maybe even in better ways?

Reforming our Church for mission, though, must involve more than reform of governance structures. It must also involve reform of the Domestic and Foreign

³⁶ The Lambeth Commission on Communion, *The Windsor Report 2004* (Harrisburg: Morehouse, 2004) para. 38. See also the Inter-Anglican Theological and Doctrinal Commission, *The Virginia Report: the Report of the Inter-Anglican Theological and Doctrinal Commission* (Harrisburg, Penn.: Morehouse Publishing 1999).

Missionary Society itself. The reform we need will not be fully accomplished without attention to structural reform in every sense. Everything must be on the table.

The organization of the staff is a picture similar in confusion to the list of over 75 committees, commissions, agencies, and boards. At least in theory there are over 45 departments and offices. To add to the confusion, there are multiple reporting structures. Most staff members report to the Presiding Bishop, and most of those do so through the Chief Operating Officer. A few report directly to the Presiding Bishop. Then there is the General Convention Office. It is overseen by the Executive Officer of the General Convention, and its staff report to the Executive Officer. To make matters a little more complex, there are some employees with dual accountability, both to the Presiding Bishop through the Chief Operating Officer and to the Executive Officer. The lack of clarity does not end there, though. There are three “Boards” that are involved in overseeing the work of some staff. There are the Board of the Archives, the Board for Transition Ministries of the General Convention, and the General Board of Examining Chaplains. All are established by canon.³⁷ None, though, has any authority beyond the Executive Council, and none is vested with any fiduciary responsibility. All are dependent upon the budget adopted by the General Convention, as revised.³⁸ All of the fiduciary responsibility is vested in the Executive Council, which

³⁷ Canons I.5.3 (Board of the Archives), III.16.2 (Board of Transition Ministry of the General Convention), and Canon III.15 (General Board of Examining Chaplains).

³⁸ Revision of the budget over the course of the triennium is an interesting example of confusion. This authority is in fact exercised by the Executive Council, presumably in its role as the Board of Directors of the Domestic and Foreign Missionary Society. The Joint Rules of Order, however, appear to vest this authority in the Joint Standing Committee on Program, Budget & Finance (Joint Rule 10[c]).

by canon³⁹ is also the Board of Directors of the Domestic and Foreign Missionary Society, sometimes behaving as to staff more as a political body and sometimes more as a board with varying degrees of attempts to manage staff regardless of the organizational reporting structure. Reform must include some clarification.

Other reforms beyond clarification are needed. Here are some things I have wondered as to staff:

- What if some staff be appointments of the Presiding Bishop serve only concurrently with the term thereof?
- What if we rethought our office needs? There is always a lot of talk about whether we should have offices in New York. It is a complex question, partly because of the depressed real estate market. Like all complex questions, complexity makes it difficult but not impossible to answer. Frankly, in this day and age, what is the relevance of a physical office to us at all?
- What if we reshaped the staff to make them more responsive to the needs of dioceses and congregations?

Might it be possible to integrate thinking about how to fund the church-wide budget with the functions of staff? For example, are there some functions which represent shared ministries that all of the dioceses should share jointly in some fair way (governance and grants, for example), such as by the 1% assessment plan? Are there some that should operate on a partnership model in which individuals with a certain expertise difficult to access by a smaller organization could be made available to the diocesan level with the staff costs borne church-wide and the program costs borne locally in order to

³⁹ Canon I.3 (Article II).

accomplish some agreed upon goal, like congregational development, increasing diversity, or particular areas of evangelism? Might there be some that function to provide shared services totally paid for by those using them, an Episcopal cooperative for mission support? One idea might be a pooled approach to diocesan administration. For example, I could imagine an accounting service organized by the Domestic and Foreign Missionary Society which allowed dioceses to access the accounting services they needed, sort of like renting a car for a day's use rather than buying a whole car one doesn't actually need all the time. The same approach might be applicable to purchasing, communications and public relations services, energy supplies, information technology, and human resources.

We have before us an extraordinary opportunity that is both important and urgent. We can understandably expect the vested interests, of which there are always many, to resist the reforms that are needed. What I believe, though, is that fundamentally, and particularly at the grassroots level, the people of The Episcopal Church are not all that concerned with the vested interests, particularly when they stand in the way of mission. They are much more interested in faithfulness to this commandment: "Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything that I have commanded you."⁴⁰ And they are much more inspired by this description of how Jesus saw the mission:

The Spirit of the Lord is upon me, because he has anointed me to bring good news to the poor. He has sent me to proclaim release to the captives and

⁴⁰ Mt. 28:19-20a.

recovery of sight to the blind, to let the oppressed go free, to proclaim the year of the Lord's favor.⁴¹

It just keeps coming back to Jesus. That, I believe, is where the hearts of Episcopalians are. And I believe Episcopalians want to engage that mission, want to participate in making decisions about how to engage mission, and want to give of themselves and of their resources to engage in that mission. Now is the time to reform our structures to help them, encourage them, and support them in mission.

⁴¹ Lk. 4:18-19.

Proposed Resolutions From the 2012 *Blue Book*

The *Report to the 77th General Convention, Otherwise Known as the Blue Book: Reports of the Committees, Commissions, Agencies, and Boards of the General Convention of the Episcopal Church* was released in the late spring in preparation for the July 2012 General Convention.¹ It contained 155 “A” resolutions—i.e. proposals made by committees, commissions, agencies, and boards for consideration by the two houses of General Convention. The resolutions below are those A resolution that touch upon the *Constitution and Canons* of The Episcopal Church and the Rules of Order of the General Convention. Resolution A059 is also included; while it deals with the *Book of Common Prayer* and not the Constitution or Canons, it does raise an interesting canonical question about the status of references to the Lectionary in the prayer book. The Constitution allows revision to the Lectionary by a single convention, but makes no similar provision for references to the Lectionary that are found within the text of the *Book of Common Prayer*. The Standing Commission of Liturgy and Music has taken the position that action of two successive conventions would be needed to change these internal references to the Lectionary.

The material here is reprinted from the *Blue Book* with permission from the Rev. Dr. Gregory S. Straub, Secretary of the General Convention.

¹ *Report to the 77th General Convention, Otherwise Known as the Blue Book: Reports of the Committees, Commissions, Agencies, and Boards of the General Convention of the Episcopal Church* (New York: the Office of General Convention of the Episcopal Church, 2012).

Resolution A001

Amend Joint Rules of Order VII.17

Joint Standing Committee on Nominations, *Blue Book*, 5.
Resolved, the House of _____ concurring, That Rule VII.17 on the Joint Standing Committee on Nominations be amended as follows:

17. There shall be a Joint Standing Committee on Nominations, which shall submit nominations for the election of:

- (a) Trustees of The Church Pension Fund, serving as the Joint Committee referred to in Canon I.8.2.
- (b) Members of the Executive Council under Canon I.4.1(c).
- (c) The Secretary of the House of Deputies and the Treasurer of the General Convention under Canon I.1.1(j).
- (d) Trustees of the General Theological Seminary.
- (e) General Board of Examining Chaplains.
- (f) *Disciplinary Board for Bishops.*

Explanation

This would add the newly established Disciplinary Board for Bishops (as referred in Title IV, Canon 17, Section 3) to the list of elective bodies and positions the Joint Standing Committee on Nominations would be responsible for nominating for election each triennium.

Resolution A002

Amend Rules of Order VII.18

Joint Standing Committee on Nominations,
Blue Book, 5-6.

Resolved, the House of _____ concurring, That Rule VII.18 on the Joint Standing Committee on Nominations be amended as follows:

18. The Joint Standing Committee on Nominations shall be composed of three Bishops, three Presbyters, and six Lay Persons. *Members who are Presbyters or Lay Persons*

shall be deputies to the most recent General Convention and will continue to serve if elected as either a deputy or alternate to the next General Convention.

Explanation

This would modify the procedure requiring resignations by Committee members when they cease to be deputies. It is disruptive to the orderly deliberations of the Committee to have its members subject to removal at various times during the triennium. There were four resignations in 2009–2012.

While it makes sense that those who nominate candidates for elections in the House of Deputies themselves be members of the House, it also makes sense to trust the wisdom of those who appoint membership to the Committee to appoint people whose judgment and experience already received be respected for a full triennium.

Bishops are not required to seek re-election each triennium, while Presbyters and Lay deputies must seek re-election. The Committee recommends that a Committee member continue serving if they retain deputy or alternate status for the next General Convention.

Resolution A010

Non-Traditional Worshipping Communities and
Quantifiable Measures of Mission

Deputies' Committee on the State of the Church,
Blue Book, 81-82.

Resolved, the House of _____ concurring, that the Executive Council, in collaboration with the House of Deputies Committee on the State of the Church, identify information to be included in the Parochial Report form based upon current changes and new realities in the Episcopal Church; and be it further

Resolved, that pursuant to Canon I.6.1, the Executive Council authorize such changes in the Parochial Report form and the House of Deputies Committee on the State of the Church consider approval and implementation of such changes by January 1, 2014; and be it further

Resolved, that the Executive Council, in collaboration with the Standing Commission on Mission and Evangelism and the House of Deputies Committee on the State of the Church, develop a reliable method for documenting mission and outreach activity of The Episcopal Church by counting or estimating the number of people served by ministries such as schools, soup kitchens, food pantries and campus ministries.

Explanation

As the House of Deputies Committee on the State of the Church considered data gathered through the Parochial Report form, the Committee became aware that the current form does not reflect the realities of a changing Episcopal Church. Many “non-traditional” communities of faith are thriving, yet do not file a Parochial Report. For example, how do congregations and faith communities measure effectiveness in pursuing the mission of the Church? How do faith communities that have sporadic or “event-oriented” worship report attendance?

Additional data gathered through the Parochial Report from both traditional and non-traditional worshipping communities will help to produce a more complete picture of the Episcopal Church and how we serve God.

In deliberating on its response to Resolution 2009-A062, the House of Deputies Committee on the State of the Church concluded that the Parochial Report is not likely to be a reliable instrument for documenting mission and outreach activities such as soup kitchens and campus ministries. Nevertheless, the committee supports efforts to devise survey instruments or other

data-gathering techniques to obtain information of this nature.

Resolution A028

Amend Constitution Article I, Section 2

Proposed for first reading

Standing Committee on Constitution and Canons,

Blue Book, 118.

Resolved, the House of _____ concurring, That Article I, Section 2 of the Constitution be amended as follows:

Sec. 2. Each Bishop of this Church having jurisdiction, every Bishop Coadjutor, every Suffragan Bishop, every Assistant Bishop, and every Bishop who by reason of advanced age or bodily infirmity, or who, under an election to an office created by General Convention, or for reasons of mission strategy determined by action of General Convention or the House of Bishops, has resigned jurisdiction, shall have a seat and a vote in the House of Bishops. *Only Bishops having jurisdiction shall have a vote on matters which, if adopted, would require a specific appropriation of funds.* A majority of all Bishops entitled to vote, exclusive of Bishops who have resigned their jurisdiction or positions, shall be necessary to constitute a quorum for the transaction of business.

Explanation

Resolution 2009-A052 sought to take away the vote of resigned/retired Bishops. The House of Deputies adopted. The House of Bishops amended. The resolution was referred to the Standing Commission on Constitution and Canons for study and review before the next General Convention. The House of Deputies concurred with the referral. The voting right of resigned/retired Bishops has been debated in numerous General Conventions. There has been a reluctance to take the right to vote away from resigned/retired Bishops, but also a desire to limit voting on matters

which impact the budget to Bishops who actively bear responsibility for the people of a diocese or of the whole Church. The Commission proposes a revised A052 for adoption on first reading.

Resolution A029

Amend Canon I.15.10

Standing Committee on Constitution and Canons,
Blue Book, 118-19.

Resolved, the House of _____ concurring, That Canon I.15.10 is hereby amended to read as follows:

~~Sec. 10. In case a Member of the Clergy in charge of a Congregation in a foreign land shall be accused of any offense under the Canons of this Church, it shall be the duty of the Bishop in charge of such Congregations to summon the Council of Advice, and cause an inquiry to be instituted as to the truth of such accusation; and should there be reasonable grounds for believing the same to be true, the said Bishop and the Council of Advice shall appoint a Commission, consisting of three Clergy and two Lay Persons, whose duty it shall be to meet in the place where the accused resides, and to obtain all the evidence in the case from the parties interested; they shall give to the accused all rights under the Canons of this Church which can be exercised in a foreign land. The judgment of the said Commission, solemnly made, shall then be sent to the Bishop in charge, and to the Presiding Bishop, and, if approved by them, shall be carried into effect; Provided, that no such Commission shall recommend any other discipline than admonition or removal of the Member of the Clergy from charge of said Congregation. Should the result of the inquiry of the aforesaid Commission reveal evidence tending, in their judgment, to show that said Member of the Clergy deserves a more severe discipline, all the documents in the case shall be placed in the hands of the Presiding Bishop, who may proceed against the Member~~

~~of the Clergy, as far as possible, according to the Canons of the General Convention.~~

In the case a Member of the Clergy in charge of a Congregation or otherwise authorized to serve the Church in a foreign land shall be accused of any offense under the Canons of this Church:

(a) With the permission of the Presiding Bishop, the Bishop in Charge and the Council of Advice may (i) engage a Diocese of this Church to provide the needed Disciplinary Structures to fulfill the requirements of the Canons of this Church, or (ii) establish among the Congregations of the Convocation the needed Disciplinary Structures to fulfill the requirements of the Canons of this Church. In either case, the Provincial Court of Review shall either be that of the Diocese providing the needed Disciplinary Structures or that of the Province of the Convocation; and, for the purposes of implementing the provisions for Ecclesiastical Discipline (Title IV) of a member of the Clergy, the Bishop in Charge shall serve the function reserved for the Bishop Diocesan, except that the Presiding Bishop must approve any Accord, any Agreement for Discipline and the terms of any Order, and pronounce the Sentence.

(b) If no other provision has been made to organize or provide the Disciplinary Structures in fulfillment of the Canons on Ecclesiastical Discipline for a Congregation in a foreign land, it shall be the duty of the Bishop in charge of such Congregations to summon the Council of Advice, and cause an inquiry to be instituted as to the truth of such accusation; and should there be reasonable grounds for believing the same to be true, the said Bishop and the Council of Advice shall appoint a Commission, consisting of three Clergy and two Lay Persons, whose duty it shall be to meet in the place where the accused resides, and to obtain all the evidence in the case from the parties interested; they shall give to the accused all rights under the Canons of this Church which can be exercised in a foreign land. The judgment of the said Commission, solemnly made, shall then be sent to the

Bishop in charge, and to the Presiding Bishop, and, if approved by them, shall be carried into effect; Provided, that no such Commission shall recommend any other discipline than admonition or removal of the Member of the Clergy from charge of said Congregation. Should the result of the inquiry of the aforesaid Commission reveal evidence tending, in their judgment, to show that said Member of the Clergy deserves a more severe discipline, all the documents in the case shall be placed in the hands of the Presiding Bishop, who may proceed against the Member of the Clergy, as far as possible, according to the Canons of the General Convention.

Explanation

Resolution 2009-A123 sought to allow Convocations of this Church (Congregation in a foreign land) to organize the needed disciplinary structures to fulfill the intent of Title IV. Because Convocations are organized in several national and cultural contexts and may be of very different sizes, the revised Canon allows each Convocation to organize itself to best meet local needs while seeking to follow the requirements of this Church. Provision is also provided for action if the Convocation is unable to self-organize.

Resolution A030

Amend Canons: Canon III.7.8–10; Canon III.9.8–11;

Canon III.12.7(a)–(c) ; Canon IV.16

Standing Committee on Constitution and Canons,

Blue Book, 119-25.

Resolved, the House of _____ concurring, that Canon III.7.8, Canon III.7.9, Canon III.7.10, Canon III.9.8, Canon III.9.9, Canon III.9.10, Canon III.9.11, Canon III.12.7(a), Canon III.12.7(b), Canon III.12.7(c), and Canon IV.16 be amended to read as follows:

Canons III.7.8–10 (for deacons)

Sec. 8. *Release and Removal from the Ordained Ministry of this Church*

If any Deacon of ~~this~~—*The Episcopal Church* shall ~~declare~~—*express*, in writing, to the Bishop of the Diocese in which such Deacon is canonically resident, *an intention to be released and removed from a renunciation of the ordained Ministry of this Church, and from the obligations attendant thereto, including those promises made at Ordination in the Declaration required by Article VIII of the Constitution of the General Convention and a desire to be removed therefrom*, it shall be the duty of the Bishop to record the ~~declaration and request so made~~—*matter*. The Bishop, being satisfied that the person so declaring is acting voluntarily and for causes, ~~assigned or known~~—*which do not affect the Deacon's person's moral character, and is neither the subject of information concerning an Offense that has been referred to an Intake Officer nor a Respondent in a pending disciplinary matter as defined in Title IV of these Canons*, shall lay the matter before the ~~clerical members of the~~—*Standing Committee*, and with the advice and consent of a majority of ~~such members~~—*the Standing Committee* the Bishop may pronounce that ~~such renunciation is accepted, and that the Deacon~~—*the person is released and removed from the ordained Ministry of this Church and from the obligations of the Ministerial office attendant thereto, and is deprived of the right to exercise in The Episcopal Church the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in Ordination. The Bishop shall also declare in pronouncing and recording such action that it was for causes which do not affect the person's moral character, and shall, at the person's request, if desired,* give a certificate to this effect to the person so *released and removed from the ordained Ministry.*

Sec. 9. If a Deacon ~~making~~—*submitting the aforesaid declaration*—*writing described in Section 8 of this Canon*

~~be of renunciation of the ordained Ministry the subject of information concerning an Offense that has been referred to an Intake Officer or a Respondent in a pending disciplinary matter as defined in Title IV of these Canons, be under Presentment for any Offense, or shall have been placed on Trial for the same, the Ecclesiastical Authority to whom such declaration is made~~ writing is submitted shall not ~~consider or act upon~~ consider or act upon the written request unless and such ~~declaration~~ until after the said ~~Presentment~~ disciplinary matter shall have been resolved by a dismissed, Accord or Order and the time for appeal or rescission of such has expired ~~or the said Trial shall have been concluded and the Deacon judged not to have committed an Offense.~~

Sec. 10. In the case of the ~~renunciation~~ *release and removal of a Deacon* ~~of from the ordained Ministry by of a Deacon~~ *this Church* as provided in this Canon, a declaration of *release and* removal shall be pronounced by the Bishop in the presence of two or more Members of the Clergy, and shall be entered in the official records of the Diocese in which the Deacon being *released and* removed is canonically resident. The Bishop who pronounces the declaration of *release and* removal as provided in this Canon shall give notice thereof in writing to every Member of the Clergy, each Vestry, the Secretary of the Convention and the Standing Committee of the Diocese in which the Deacon was canonically resident; and to all Bishops of this Church, the Ecclesiastical Authority of each Diocese of this Church, the Presiding Bishop, the Recorder of Ordinations, the Secretary of the House of Bishops, the Secretary of the House of Deputies, The Church Pension Fund, and the Board for ~~Church Deployment~~ *Transition Ministry*.

Canons III.9.8–11 (for priests)

Sec. 8. ~~Renunciation of~~ *Release and Removal from the Ordained Ministry of this Church*

If any Priest of ~~this~~ *The Episcopal Church* shall ~~declare~~ *express*, in writing, to the Bishop of the Diocese in which such Priest is canonically resident, *an intention to be released and removed from a renunciation of the ordained Ministry of this Church and from the obligations attendant thereto, including those promises made at Ordination in the Declaration required by Article VIII of the Constitution of the General Convention, and a desire to be removed therefrom,* it shall be the duty of the Bishop to record the ~~declaration and request so made~~ *matter*. The Bishop, being satisfied that the person so declaring is acting voluntarily and for causes, ~~assigned or known,~~ which do not affect the ~~Priest's~~ *person's* moral character, *and is neither the subject of information concerning an Offense that has been referred to an Intake Officer nor a Respondent in a pending disciplinary matter as defined in Title IV of these Canons,* shall lay the matter before ~~the clerical members of~~ the Standing Committee, and with the advice and consent of a majority of ~~such members~~ *the Standing Committee* the Bishop may pronounce that ~~such renunciation is accepted, and that the Priest~~ *the person is released and removed from the ordained Ministry of this Church and from the obligations of the Ministerial office attendant thereto, and is deprived of the right to exercise in The Episcopal Church the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in Ordination. The Bishop shall also declare in pronouncing and recording such action that it was for causes which do not affect the person's moral character, and shall, if desired, at the person's request, give a certificate to this effect to the person so removed and released from the ordained Ministry.*

Sec. 9. A Priest who ~~would be permitted~~ could under this Canon ~~be released and removed to renounce the exercise from the of~~ ordained Ministry of this Church ~~office,~~ and who desires to enter into other than ecclesiastical employment, may ~~declare~~ *express* in writing to the Ecclesiastical Authority of the Diocese in which the Priest is canonically resident a desire to be released ~~and removed~~ from the obligations of the office and a desire to be released ~~and removed~~ from the exercise of the office of Priest. Upon receipt of such ~~declaration~~ *writing*, the Ecclesiastical Authority shall proceed in the same manner as if ~~the declaration was one of renunciation of the ordained Priesthood under~~ *prescribed* in Section 8 of this Canon.

Sec. 10. If a Priest ~~making the aforesaid declaration of renunciation of the ordained Ministry be under Presentment for any Offense, or shall have been placed on Trial for the same~~ *submitting the writing described in Section 8 or 9 of this Canon be the subject of information concerning an Offense that has been referred to an Intake Officer or a Respondent in a pending disciplinary matter as defined in Title IV of these Canons,* the Ecclesiastical Authority to whom such ~~declaration is made~~ *writing is submitted* shall not consider or act upon ~~such declaration~~ *the written request unless and until after the said Presentment* ~~the disciplinary matter shall have been resolved by a dismissal, Accord or Order and the time for appeal or rescission of such has expired.~~ *ed or the said Trial shall have been concluded and the Priest judged not to have committed an Offense.*

Sec. 11. In the case of the ~~renunciation of~~ *release and removal of a Priest from* the ordained Ministry of this Church ~~by a Priest~~ as provided in this Canon, a declaration of *release and removal* shall be pronounced by the Bishop in the presence of two or more Priests, and shall be entered in the official records of the Diocese in which the Priest being *released and removed* is

canonically resident. The Bishop who pronounces the declaration of *release and removal* as provided in this Canon shall give notice thereof in writing to every Member of the Clergy, each Vestry, the Secretary of the Convention and the Standing Committee of the Diocese in which the Priest was canonically resident; and to all Bishops of this Church, the Ecclesiastical Authority of each Diocese of this Church, the Presiding Bishop, the Recorder of Ordinations, the Secretary of the House of Bishops, the Secretary of the House of Deputies, the Church Pension Fund, and the Board for ~~Church Deployment~~ *Transition Ministry*.

Canon III.12.7(a)–(c) (for bishops)

Sec. 7. ~~Renunciation—Release and Removal from of the~~ *Ordained Ministry of this Church*

(a) If any Bishop of ~~this—The Episcopal Church~~ shall ~~declare~~ *express*, in writing, to the Presiding Bishop, a ~~renunciation of an intention to be released and removed from the ordained Ministry of this—this Church and from the obligations attendant thereto, including those promises made at Ordination in the Declaration required by Article VIII of the Constitution of the General Convention, and a desire to be removed therefrom,~~ it shall be the duty of the Presiding Bishop to record the ~~declaration and request so made~~ *matter*. The Presiding Bishop, being satisfied that the person so declaring is acting voluntarily and for causes, ~~assigned or known,~~ which do not affect the person's moral character, *and is neither the subject of information concerning an Offense that has been referred to an Intake Officer nor a Respondent in a pending disciplinary matter as defined in Title IV of these Canons,* shall lay the matter before the Advisory Council to the Presiding Bishop, and with the advice and consent of a majority of the members of the Advisory Council the Presiding Bishop may pronounce that ~~such renunciation is accepted, and that the Bishop—person is released and~~

removed from the ordained Ministry of this Church and from the obligations attendant thereto, of all Ministerial offices, and is deprived of the right to exercise in The Episcopal Church the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in Ordinations. The Presiding Bishop shall also declare in pronouncing and recording such action that it was for causes which do not affect the person's moral character, and shall, if desired at the person's request, give a certificate to this effect to the person so released and removed from the ordained Ministry.

(b) If a Bishop submitting the writing described in Section 7(a) of this Canon be the subject of information concerning an Offense that has been referred to an Intake Officer or a Respondent in a pending disciplinary matter as defined in Title IV of these Canons ~~making the aforesaid declaration of the renunciation of the ordained Ministry be under Presentment for any canonical Offense, or shall have been placed on Trial for the same,~~ the Presiding Bishop shall not consider or act upon the written request unless and until the disciplinary matter shall have been resolved by a dismissal, Accord or Order and the time for appeal or rescission of such has expired ~~shall not consider or act upon such declaration until after the Presentment shall have been dismissed or the said Trial shall have been concluded and the Bishop judged not to have committed an Offense.~~

(c) In the case of ~~such renunciation by the release and removal of a Bishop from the ordained Ministry of this Church as provided in this Canon,~~ a declaration of removal *and release* shall be pronounced by the Presiding Bishop in the presence of two or more Bishops, and shall be entered in the official records of the House of Bishops and of the Diocese in which the Bishop being removed *and released* is canonically resident. The Presiding Bishop shall give notice thereof in writing to the Secretary of the Convention and the Ecclesiastical Authority and the

Standing Committee of the Diocese in which the Bishop was canonically resident, to all Bishops of the Church, the Ecclesiastical Authority of each Diocese of this Church, the Recorder, the Secretary of the House of Bishops, the Secretary of the General Convention, The Church Pension Fund, and the ~~Church~~ *Deployment Board for Transition Ministry*.

Canon IV.16

CANON 16: Of Abandonment of The Episcopal Church

(A) By a Bishop

Sec. 1. If a Bishop abandons The Episcopal Church (i) by an open renunciation of the Doctrine, Discipline or Worship of the Church; or (ii) by formal admission into any religious body not in communion with the same; or (iii) by exercising Episcopal acts in and for a religious body other than the Church or another church in communion with the Church, so as to extend to such body Holy Orders as the Church holds them, or to administer on behalf of such religious body Confirmation without the express consent and commission of the proper authority in the Church, it shall be the duty of the Disciplinary Board for Bishops, by a majority vote of all of its members, to certify the fact to the Presiding Bishop and with the certificate to send a statement of the acts or declarations which show such abandonment, which certificate and statement shall be recorded by the Presiding Bishop. The Presiding Bishop shall then place a restriction on the exercise of ministry of said Bishop until such time as the House of Bishops shall investigate the matter and act thereon. During the period of such restriction, the Bishop shall not perform any Episcopal, ministerial or canonical acts.

Sec. 2. The Presiding Bishop, or the presiding officer, shall forthwith give notice to the Bishop of the certification and restriction on ministry. Unless the restricted Bishop, within sixty days, makes declaration

by a verified written statement to the Presiding Bishop, that the facts alleged in the certificate are false or utilizes the provisions of Canon III.12.7, the Bishop will be liable to *Deposition or Release and Removal*. If the Presiding Bishop is reasonably satisfied that the statement constitutes (i) a good faith retraction of the declarations or acts relied upon in the certification to the Presiding Bishop or (ii) a good faith denial that the Bishop made the declarations or committed the acts relied upon in the certificate, the Presiding Bishop, with the advice and consent of the Disciplinary Board for Bishops, shall terminate the restriction. Otherwise, it shall be the duty of the Presiding Bishop to present the matter to the House of Bishops at the next regular or special meeting of the House. ~~If the~~*The House may*, by a majority of the whole number of Bishops entitled to vote, (1) *consent to the deposition of the subject Bishop, in which case,*—the Presiding Bishop shall depose the Bishop from the *ordained* ~~in~~*Ministry of The Episcopal Church*, and pronounce and record in the presence of two or more Bishops that the Bishop has been so deposed, or (2) *consent to the release and removal of the subject Bishop from the ordained Ministry of The Episcopal Church, in which case the Presiding Bishop shall declare such release and removal in the presence of two or more Bishops.*

(B) By a Priest or Deacon

Sec. 3. If it is reported to the Standing Committee of the Diocese in which a Priest or Deacon is canonically resident that the Priest or Deacon, without using the provisions of Canon III.7.8-10 or III.9.8-11, has abandoned The Episcopal Church, then the Standing Committee shall ascertain and consider the facts, and if it shall determine by a vote of three-fourths of all the members that the Priest or Deacon has abandoned The Episcopal Church by an open renunciation of the Doctrine, Discipline or worship of the Church, or by the formal admission into any religious body not in

communion with the Church, or in any other way, it shall be the duty of the Standing Committee of the Diocese to transmit in writing to the Bishop Diocesan, or if there be no such Bishop, to the Bishop Diocesan of an adjacent Diocese, its determination, together with a statement setting out in a reasonable detail the acts or declarations relied upon in making its determination. If the Bishop Diocesan affirms the determination, the Bishop Diocesan shall place a restriction on the exercise of ministry by that Priest or Deacon for sixty days and shall send to the Priest or Deacon a copy of the determination and statement, together with a notice that the Priest or Deacon has the rights specified in Section 2 of this Canon and at the end of the sixty day period the Bishop Diocesan will consider deposing the Priest or Deacon in accordance with the provisions of Section 4.

Sec. 4. Prior to the expiration of the sixty day period of restriction, the ~~Bishop Diocesan may permit the Priest or Deacon to~~ *may* utilize the provisions of Canon III.7.8-10 or III.9.8-11, as applicable. If within such sixty day period the Priest or Deacon shall transmit to the Bishop Diocesan a statement in writing signed by the Priest or Deacon, which the Bishop Diocesan is reasonably satisfied constitutes a good faith retraction of such declarations or acts relied upon in the determination or a good faith denial that the Priest or Deacon committed the acts or made the declarations relied upon in the determination, the Bishop Diocesan shall withdraw the notice and the restriction on ministry shall expire. If, however, within the sixty day period, the Bishop Diocesan does not ~~declare pronounce acceptance of the renunciation~~ *the release and removal* of the Priest or Deacon in accordance with Canon III.7.8-10 ~~and~~ *or* III.9.8-11, as applicable, or the Priest or Deacon does not make retraction or denial as provided above, then it shall be the duty of the Bishop Diocesan either (i) to depose the Priest or Deacon or (ii) if the Bishop Diocesan

is satisfied that no previous irregularity or misconduct is involved, with the advice and consent of the Standing Committee, to pronounce and record in the presence of two or more Priests that the Priest or Deacon is released *and removed* from the *ordained Ministry of this Church and from the obligations attendant thereto, of ~~Priest or Deacon~~* and (for causes which do not affect the person's moral character) is deprived of the right to exercise *in The Episcopal Church* the gifts and spiritual authority conferred in Ordination.

Explanation

The Presiding Bishop's office communicated to the Commission the following insights gleaned in recent years regarding the existing "renunciation" and "abandonment" canons: First, the renunciation canons were being regarded by some as carrying a negative mark against those ordained persons who "renounced" their ordained ministry according to those canons. The proposed amendments attempt to clarify that there is no negative connotation associated with that process, in large part by recasting the process in terms of "release" from the obligations of Ordained Ministry in The Episcopal Church and "removal" from the privileges that flow therefrom. Second, the current abandonment canon for bishops provides only one outcome in the instance of a bishop who has been found to have abandoned The Episcopal Church, which is deposition; by contrast, the abandonment canon for priests and deacons provides the option of removal in addition to deposition. The failure of the abandonment canon for bishops to provide the option of removal forecloses the possibility of a more pastoral response that might be appropriate in some instances. The proposed amendments make removal an option in the abandonment canon for bishops.

Resolution A031

Amend Canon III.11.4(a)

Standing Committee on Constitution and Canons,
Blue Book, 125-26.

Resolved, the House of _____ concurring, that the following section of Title III, 11.4(a) be amended to read as follows:

Sec. 4.

(a) If the date of the election of a Bishop occurs more than one hundred and twenty days before the meeting of the General Convention, The Standing Committee of the Diocese for which the Bishop has been elected shall by its President, or by some person or persons specially appointed, immediately send to the Presiding Bishop and to the Standing Committees of the several Dioceses a certificate of the election by the Secretary of Convention of the Diocese, bearing a statement *of receipt of (that)*

(1) evidence of the Bishop-elect's having been duly ordered Deacon and Priest,

(2) *certificates from a licensed medical doctor and licensed psychiatrist, appointed by the Ecclesiastical Authority with the approval of the Presiding Bishop, that they have thoroughly examined the Bishop-elect as to that person's medical, psychological and psychiatric condition and have not discovered any reason why the person would not be fit to undertake the work for which the person has been chosen. Forms and procedures agreed to by the Presiding Bishop and The Church Pension Fund shall be used for this purpose; and*

(3) *evidence that a testimonial in the following form was signed by a constitutional majority of the Convention ~~must also be delivered in the following form:~~*

We, whose names are hereunder written, fully sensible of how important it is that the Sacred Order and Office

of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality, do, in the presence of Almighty God, testify that we know of no impediment on account of which they Reverend A.B. ought not to be ordained to that Holy Office. We do, moreover, jointly and severally declare that we believe the Reverend A.B. to have been duly and lawfully elected and to be of such sufficiency in learning, of such soundness in the Faith, and of such godly character as to be able to exercise the Office of a Bishop to the honor of God and the edifying of the Church, and to be a wholesome example to the flock of Christ.

(Date) _____ (Signed) _____

The Presiding Bishop, without delay, shall notify every Bishop of this Church exercising jurisdiction of the Presiding Bishop's receipt of the certificates mentioned in this Section and request a statement of consent or withholding of consent. Each Standing Committee, in not more than one hundred and twenty days after the sending by the electing body of the certificate of the election, shall respond by sending the Standing Committee of the Diocese for which the Bishop is elected either the testimonial of consent in the form set out in paragraph (b) of this Section or written notice of its refusal to give consent. If a majority of the Standing Committees of all the Dioceses consents to the ordination of the Bishop-elect, the Standing Committee of the Diocese for which the Bishop is elected shall then forward the evidence of the consent, with the other necessary *certificates mentioned in this Section* (documents described in Sec. 3(a) of this Canon), to the Presiding Bishop. If the Presiding Bishop receives sufficient statements to indicate a majority of those Bishops consents to the ordination, the Presiding Bishop shall, without delay, notify the Standing Committee of the

Diocese for which the Bishop is elected and the Bishop-elect of the consent.

Explanation

This amendment adds parallel language to Canon III.11.4(b). During review of other proposed amendments to the procedures for the Ordination of Bishops, SCCC noted that the reference to a certificate evidencing the Bishop-elect's medical, psychological and psychiatric examination was missing from the provision. Research found that Title III rewrite contained in 2006-A082, adopted by the 75th General Convention, did not including [sic] the referenced [sic] to such a certificate but that it was inference [sic] from the rest of the provision.

Resolution A032

Amend Canon 12.5(b)(3)

Standing Committee on Constitution and Canons,

Blue Book, 126-27.

Resolved, the House of _____, concurring, the 77th General Convention amend Canon III.12.5(b)(3) as follows:

(3) Bishops of a Church in communion with this Church, in good standing therein, if they:

(i) have previously resigned their former responsibilities;
(ii) have received approval, by a competent authority within the Church of their ordination of their appointment to the position of Assistant Bishop;

(iii) have exhibited satisfactory evidence of moral and godly character and having met theological requirements;

(iv) have promised in a writing submitted to the Bishop making the appointment to submit in all things to the Doctrine, Discipline and Worship of this Church; ~~and thorough examination covering their medical,~~

(v) have submitted to and satisfactorily passed a *thorough examination covering their medical, psychological and psychiatric condition* by recognized and licensed professionals appointed by the Ecclesiastical Authority of the Diocese with the approval of the Presiding Bishop. The forms for medical, psychological and psychiatric reports prepared by The Church Pension Fund shall be used for these purposes.

Explanation

Prior to 2006, the predecessor provisions of Canon III.27.2(c)(5) (2000) and Canon 21.3(c)(5) (2003), Of Assistant Bishops, read: “(5) have submitted to and satisfactorily passed a thorough examination covering their medical, psychological and psychiatric condition by recognized and licensed professionals appointed by the Ecclesiastical Authority of the Diocese with the approval of the Presiding Bishop. The forms for medical, psychological and psychiatric reports prepared by The Church Pension Fund shall be used for these purposes.”

The Title III rewrite adopted in 2006 produced the disconnected wording currently found in Canon III.12.5 (b) regarding Assistant Bishops. The proposed amendment restores the previous wording and retains the requirement for certification of medical, psychological and psychiatric condition before assuming the role of Assistant Bishop. Identical requirements, contained in Canon III.11.3 (b) (2009), apply to the election of any Bishop of this Church.

Resolution A033

Amend Canons: Canon IV.2; Canon IV.5.3(i); Canon IV.6.7; Canon IV.11.5

Standing Committee on Constitution and Canons,
Blue Book, 127-28.

Resolved, the House of _____ concurring, that the following sections of Canons IV.2, IV.5 (3), IV.6.7, and IV. 11.5 be amended to read as follows:

Canon IV.2

Advisor shall mean a person designated to support, assist, consult with ~~and~~, advise *and, where expressly so authorized under this Title, speak for a Complainant or Respondent* in any matter of discipline under this Title, as provided in Canon IV.19.10.

Complainant shall mean (a) ~~the~~ *any person or persons from whom the Intake Officer receives information concerning an Offense and who, upon consent of that person(s), is designated a Complainant by the Intake Officer* or (b) any Injured Person designated by the Bishop Diocesan who in the Bishop Diocesan's discretion, should be afforded the status of a Complainant, provided, however, that any Injured Person so designated may decline such designation.

Hearing Panel shall mean a panel of three *or more* members of the Disciplinary Board selected by the president of the Board, unless some other manner of selection is provided by Diocesan Canon, to serve as the body before which a hearing is held as provided in Canon IV.13, provided, however, that no such member may serve as a member of the Conference Panel in the same case.

Canon IV.5.3(i)

i) Any Diocese may agree *in writing* with one or more other Dioceses to develop and share resources necessary to implement this Title, including members of Disciplinary Boards, Church Attorneys, Intake Officers, Advisors, Investigators, Conciliators and administrative and financial support for proceedings under this Title.

Canon IV.6.7

Sec. 7. If the Intake Officer determines that the information, if true, would constitute an Offense, the Intake Officer shall promptly forward the intake report to the Reference Panel. The president shall promptly select from the Disciplinary Board, ~~by lot or by other random means,~~ a Conference Panel and a Hearing Panel, and shall designate a president of each Panel, *unless some other means of selecting the Panels or designating the president of a Panel is provided by Diocesan Canon.* A Conference Panel may consist of one or more person. A Hearing Panel shall consist of not less than three persons and shall include both clergy and lay members. The president *of the Disciplinary Board* shall be ineligible to serve on either Panel.

Canon IV.11.5

Sec. 5. All investigations shall be confidential until such time information obtained therefrom may be utilized by the Church Attorney, the Bishop Diocesan or the Panels ~~upon the consent of the person interviewed or as the Bishop Diocesan deems pastorally necessary, and.~~ All Persons, prior to being interviewed shall be advised of the confidential nature of the investigation and when such information may be shared during the course of the proceedings.

Explanation

Canon IV.2 revisions: The first addition contemplates that Respondents and Complainants may not wish to speak for themselves at various stages of the discipline process and may have elected not to secure counsel. The Advisor could thus speak for the Complainant or Respondent without taking on the formal burden of an advocate or attorney. The second amendment describes how a person with information

about an offense becomes a Complainant. The current definition does not contain any such instruction. First, the informant must agree to the designation as it requires participation in the disciplinary process. Moreover, as the provision currently reads, it does not describe the actor who so designates the complainant. The Intake Officer is the first person who officially accepts the information and thus, is in the best position to make the designation. The third amendment, as currently written, conflicts with Canon IV.6.7 in providing that a Hearing Panel shall be composed of “not less than three members”. This seeks to bring the two provisions into conformity.

Canon IV.5.3 revision: While it is likely that most dioceses that choose to share resources will provide a writing that reflects their agreement, good practice dictates that this should be required under the canons.

Canon IV.6.7 revision: As currently written this provision is inconsistent with IV.2, which does not provide for random selection of members of the Disciplinary Board who will serve on a Conference or Hearing Panels. This will bring the two provisions into conformity with each other. It is recommended that the possibility for random selection of panel members be retained through providing local dioceses with the option to retain this method through local canons.

Canon IV.11.5 revision: There are certain times in the disciplinary process when information obtained from investigations will be shared with others. For instance, if the matter proceeds to the Conference Panel or Hearing Panel, the information obtained from the investigation is utilized. Further, requiring the Intake Officer or Investigator to secure the permission of the witnesses after the investigation is administratively burdensome and can delay the process. The revision clarifies that otherwise confidential information will be shared in the disciplinary process and that witnesses

and other persons interviewed must be advised of this fact prior to their interview.

Resolution A034

Amend Canon V.2

Standing Committee on Constitution and Canons,
Blue Book, 129.

Resolved, the House of _____ concurring, that the following section 3 be added to Canon V.2 to read as follows:

Sec. 3. As used in these Canons, the terms “the Church” and “this Church” refer to the Protestant Episcopal Church in the United States in America, also known as The Episcopal Church, unless expressly noted otherwise.

Explanation

In its work with the Canons, the Commission noticed that the terms “the Church” and “this Church” are used interchangeably throughout the Canons to refer to The Episcopal Church. The Commission proposes this definitional amendment to the Canons to clarify this existing usage.

Resolution A041

Amend Canon I.17

Standing Commission on Lifelong Christian Formation
and Education, *Blue Book*, 155-56.

Resolved, the House of _____ concurring, that Canon I.17 be amended by adding a new section 8, and amending and renumbering the subsequent section as section 9:

Sec. 8. Each congregation shall provide instruction in the history, structure and governance of The Episcopal Church and opportunities for lifelong faith formation as described in The Charter for Lifelong Christian Formation adopted by the 76th General Convention in 2009.

Sec. 9. Any person accepting any office in this Church shall well and faithfully perform the duties of that office in accordance with the Constitution and Canons of this Church and of the Diocese in which this office is being exercised. All such persons shall have completed instruction in the history, structure and governance of this Church and in the duties and responsibilities of their office.

Explanation

The 2009 General Convention adopted The Charter for Lifelong Christian Formation, which describes the many processes by which Episcopalians live into the Baptismal Covenant. The explanation accompanying that resolution explained the vision underlying the Charter in this way: “We affirm that life-long Christian formation is foundational to the success of any church, and in the case of our own, is an integral part of the process by which we will rebuild The Episcopal Church. Our congregations will grow in numbers and health when they are supported by leaders – of all orders of ministry – who know their identity in Christ and are able to access their tradition for the purposes of proclaiming and living out the Gospel.”

These proposed amendments of the Canons underscore the importance of lifelong formation as spelled out in the Charter and address a further priority: that people in leadership positions in The Episcopal Church, such as members of a vestry, delegates to diocesan convention, and other appointive or elective positions, demonstrate adequate formation in Episcopal identity. It is important to form new members and those elected to leadership positions in Episcopal identity and governance, building upon the foundation of baptismal catechesis and life-long learning opportunities for all members. The resolution does not prescribe a singular mode of instruction but rather affirms the rich and diverse contextual realities in The Episcopal Church and acknowledges that myriad resources for formation in

Episcopal identity already exist at parish, diocesan and other levels. In order to fulfill this requirement for instruction, parishes, dioceses and others are encouraged to collaborate and share resources.

Resolution A042

Amend Canons: Canon I.1.1(b), Canon I.1.2(a), Canon I.2.5, Canon I.4.1(c), Canon I.4.3(d), Canon I.9.7, Canon III.4.1, Canon IV.17.3

Standing Commission on Lifelong Christian Formation and Education, *Blue Book*, 156-58.

Resolved, the House of _____ concurring, the 77th General Convention affirm that the Book of Common Prayer teaches that Baptism is full initiation into Christ's Body the Church and Confirmation is an occasion for those baptized at an early age "to make a mature public affirmation of their faith and commitment to the responsibilities of their Baptism" (BCP 412); and be it further

Resolved, that the baptismal theology of the Book of Common Prayer understands Baptism and not Confirmation to be the sacramental prerequisite for leadership in The Episcopal Church; and be it further

Resolved, that Canon I.1.1(b), Canon I.1.2(a), Canon I.2.5, Canon I.4.1(c), Canon I.4.3(d), Canon I.9.7, Canon III.4.1, and Canon IV.17.3 be amended to read as follows:

Canon I.1.1(b)

(b) There shall be a President and a Vice-President of the House of Deputies, who shall perform the duties normally appropriate to their respective offices or specified in these Canons. They shall be elected not later than the seventh day of each regular meeting of the General Convention in the manner herein set forth. The House of Deputies shall elect from its membership, by a

majority of separate ballots, a President and a Vice-President, who shall be of different orders. Such officers shall take office at the adjournment of the regular meeting at which they are elected, and shall continue in office until the adjournment of the following regular meeting of the General Convention. They shall be and remain *ex officio* members of the House during their term of office. No person elected President or Vice-President shall be eligible for more than three consecutive full terms in each respective office. In case of resignation, death, absence, or inability, of the President, the Vice-President shall perform the duties of the office until a new President is elected. The President shall be authorized to appoint an Advisory Council for consultation and advice in the performance of the duties of the office. The President may also appoint a Chancellor to the President, ~~a confirmed~~ *an* adult communicant of the Church in good standing who is learned in both ecclesiastical and secular law, to serve so long as the President may desire, as counselor in matters relating to the discharge of the responsibilities of that office.

Canon I.1.2(a)

(a) The Canon shall specify the duties of each such Commission. Standing Commissions shall be composed of three (3) Bishops, three (3) Priests and/or Deacons of this Church and six (6) Lay Persons, who shall be ~~confirmed~~ adult communicants of this Church in good standing. Priests, Deacons and Lay persons are not required to be members of the House of Deputies.

Canon I.2.5

Sec. 5. The Presiding Bishop may appoint, as Chancellor to the Presiding Bishop, ~~a confirmed~~ *an* adult communicant of the Church in good standing who is learned in both ecclesiastical and secular law, to serve so long as the Presiding Bishop may desire, as counselor in

matters relating to the office and the discharge of the responsibilities of that office.

Canon I.4.1(c)

(c) The Executive Council shall be composed (a) of twenty members elected by the General Convention, of whom four shall be Bishops, four shall be Presbyters or Deacons, and twelve shall be Lay Persons who are ~~confirmed~~ adult communicants in good standing (two Bishops, two Presbyters or Deacons, and six Lay Persons to be elected by each subsequent regular meeting of the General Convention); (b) of eighteen members elected by the Provincial Synods; (c) of the following *ex officio* members: the Presiding Bishop and the President of the House of Deputies; and (d) the Vice-President, the Secretary, and the Treasurer of the Executive Council, who shall have seat and voice but no vote. Each Province shall be entitled to be represented by one Bishop or Presbyter or Deacon canonically resident in a Diocese which is a constituent member of the Province and by one Lay Person who is a ~~confirmed~~ adult communicant in good standing of a Diocese which is a constituent member of the Province, and the terms of the representatives of each Province shall be so rotated that two persons shall not be simultaneously elected for equal terms.

Canon I.4.3(d)

(d) The Presiding Bishop shall appoint, with the advice and consent of a majority of the Executive Council, an executive director, who shall be an adult ~~confirmed~~ communicant in good standing or a member of the clergy of this Church in good standing who shall be the chief operating officer and who shall serve at the pleasure of the Presiding Bishop and be accountable to the Presiding Bishop. If a vacancy should

occur in the office of the executive director, a successor shall be appointed in like manner.

Canon I.9.7

Sec. 7. Each Diocese and Area Mission within the Province shall be entitled to representation in the Provincial House of Deputies by Presbyters or Deacons canonically resident in the Diocese or Area Mission, and Lay Persons, ~~confirmed~~ adult communicants of this Church in good standing but not necessarily domiciled in the Diocese or Area Mission, in such number as the Provincial Synod, by Ordinance, may provide. Each Diocese and Area Mission shall determine the manner in which its Deputies shall be chosen.

Canon III.4.1

Sec. 1 (a) ~~A confirmed communicant in good standing or, in extraordinary circumstances, subject to guidelines established by the Bishop,~~ a communicant in good standing, may be licensed by the Ecclesiastical Authority to serve as Pastoral Leader, Worship Leader, Preacher, Eucharistic Minister, Eucharistic Visitor, Evangelist, or Catechist. Requirements and guidelines for the selection, training, continuing education, and deployment of such persons, and the duration of licenses shall be established by the Bishop in consultation with the Commission on Ministry.

Canon IV.17.3

Sec. 3. The Disciplinary Board for Bishops is hereby established as a court of the Church to have original jurisdiction over matters of discipline of Bishops, to hear Bishops' appeals from imposition of restriction on ministry or placement on Administrative Leave and to determine venue issues as provided in Canon IV.19.5. The Disciplinary Board for Bishops shall consist of ten Bishops elected at any regularly scheduled meeting of

the House of Bishops, and four Priests or Deacons and four lay persons initially appointed by the President of the House of Deputies with the advice and consent of the lay and clergy members of the Executive Council and thereafter elected by the House of Deputies. All lay persons appointed to serve shall be ~~confirmed~~—adult communicants in good standing. Members of the Board shall serve staggered terms of six years, with terms of one half of the Bishops and one half of the lay persons, Priests and Deacons collectively expiring every three years, with the first expirations occurring at the end of the year 2012.

Explanation

These amendments bring the canons into conformity with the baptismal theology of the Book of Common Prayer, which teaches that “Holy Baptism is full initiation by water and the Holy Spirit into Christ’s Body the Church” (BCP p. 299). They will extend to all members of the Episcopal Church opportunities for serving as appointed or elected leaders. These amendments will equip members of the Episcopal Church with the knowledge and understanding to lead effectively. Amending these canons clarifies that rather than being a prerequisite to holding office in the Church, Confirmation is a “mature public affirmation of faith and commitment to the responsibilities of...baptism” (BCP, 412) through which each confirmand is strengthened, empowered and sustained by the Holy Spirit (BCP, 418). The canons will continue to require individuals holding office to be “communicants in good standing,” which is defined by canons I.17.2(a) and I.17.3 as “those who have received Communion three times in the previous year,” and “have been faithful in corporate worship unless for good cause prevented and have been faithful in working, praying, and giving for the spread of the kingdom of God.”

Resolution A043

Amend Constitution Article I, Section 4

Standing Commission on Lifelong Christian Formation
and Education, *Blue Book*, 158.

Resolved, the House of _____ concurring that Article I.4
of the Constitution of The Episcopal Church be amended
to read as follows:

Sec. 4 The Church in each Diocese which has been
admitted to union with the General Convention, each
area Mission established as provided by Article VI, and
the Convocation of the American Churches in Europe,
shall be entitled to representation in the House of
Deputies by not more than four ordained persons,
Presbyters or Deacons, canonically resident in the
Diocese and not more than four Lay
Persons, ~~confirmed~~ adult communicants of this Church,
in good standing in the Diocese but not necessarily
domiciled in the Diocese; but the General Convention by
Canon may reduce the representation to not fewer than
two Deputies in each order. Each Diocese, and the
Convocation of the American Churches in Europe, shall
prescribe the manner in which its Deputies shall be
chosen.

Explanation

This amendment brings the constitution into
conformity with the baptismal theology of the Book of
Common Prayer, which teaches that “Holy Baptism is
full initiation by water and the Holy Spirit into Christ’s
Body the Church” (BCP p. 299). It will extend to all
members of The Episcopal Church the opportunity to
serve as deputies to General Convention. These
amendments will equip members of The Episcopal
Church with the knowledge and understanding to lead
effectively. Amending the constitution restores
Confirmation to its rightful place as a “mature public

affirmation of faith and commitment to the responsibilities of their baptism” (BCP p. 412). The constitution will continue to require individuals serving as deputies for General Convention to be “communicants in good standing,” which is defined by canons I.17.2(a) and I.17.3 as “those who have received Communion three times in the previous year, and “have been faithful in corporate worship unless for good cause prevented and have been faithful in working, praying, and giving for the spread of the kingdom of God.”

Resolution A044

Review Confirmation Requirements in Title III

Standing Commission on Lifelong Christian Formation and Education, *Blue Book*, 159.

Resolved, the House of _____ concurring, that the 77th General Convention direct the Standing Commission on Lifelong Christian Formation and Education and the Standing Commission on Ministry Development to review the requirement for Confirmation in the Title III Canons on the ordination of deacons and priests and consider any revisions to the canons needed to conform them to the baptismal theology of the Book of Common Prayer; and be it further

Resolved, that this review include consultation with other provinces of the Anglican Communion and full communion partners such as the Evangelical Lutheran Church in America and the Moravian Church; and be it further

Resolved, that the standing commissions report their findings to the 78th General Convention in 2015.

Explanation

Resolution 2009-B013 adopted by the 76th General Convention directed the Standing Commission on Lifelong Christian Formation and Education to bring to the 77th General Convention “any proposed revisions to

the canons to conform them to the baptismal theology of the Book of Common Prayer.” The Commission began its work by focusing on canons pertaining to lay leadership in the Church. The Commission believes that consultation with the Standing Commission on Ministry Development and others partners is necessary to address canons pertaining to ordination. This resolution permits the Standing Commission on Lifelong Christian Formation and Education to complete its work in consultation with the Standing Commission on Ministry Development in the next triennium and to report back to the 78th General Convention in 2015.

Resolution A059

Revise Book of Common Prayer for Revised Common
Lectionary
Standing Commission on Liturgy and Music,
Blue Book, 174-76.

Resolved, the House of _____ concurring, the *Standard Book of Common Prayer* shall be revised as follows:

p. 271: Palm Sunday, Liturgy of the Palms

Year A: Matthew 21:1-11

Year B: ~~Mark 11:1-11a~~ *Mark 11:1-11, or John 12:12-16*

Year C: ~~Luke 19:29-40~~ *Luke 19:28-40*

p. 272: Palm Sunday, At the Eucharist

Old Testament: ~~Isaiah 45:21-25, or Isaiah 52:13-53:12~~ *Isaiah 50:4-9a*

Psalm: ~~22:1-21, or 22:1-11~~ *31:9-16*

Epistle: Philippians 2:5-11

p. 273: Palm Sunday, At the Eucharist

Year A: ~~Matthew 26:36-27:54(55-66) or 27:1-54(55-66)~~ *Matthew 26:14-27:66, or 27:11-54*

Year B: ~~Mark 14:32-15:39(40-47)~~ *Mark 14:1-15:47, or 15:1-39 (40-47)*

Year C: ~~Luke 22:39-23:49(50-56)~~, *Luke 22:14-23:56, or 23:1-49 (50-56)*

p. 274: Maundy Thursday

Old Testament: ~~Exodus 12:1-14a~~ *Exodus 12:1-4(5-10)11-14*

Psalm: ~~78:14-20,23-25~~ *116:1,10-17 (omit Hallelujah in verse 17)*

Epistle: 1 Corinthians 11:23-26 (~~27-32~~)

Gospel: ~~John 13:1-15, or Luke 22:14-30~~ *John 13:1-17,31b-35*

p. 276: Good Friday

Old Testament: ~~Isaiah 52:13-53:12, or Genesis 22:1-18, or Wisdom 2:1,12-24~~

Psalm: ~~22:1-11(12-21), or 40:1-14, or 69:1-23~~

Epistle: ~~Hebrews 10:1-25~~ *Hebrews 10:16-25, or 4:14-16; 5:7-9*

p. 277: Good Friday

~~John 18:1-19:37, or 19:1-37~~ *John 18:1-19:42*

p. 283: Holy Saturday

Old Testament: ~~Job 14:1-14, or Lamentations 3:1-9,19-24~~

Psalm: ~~130, or 31:1-5~~ *31:1-4,15-16*

Epistle: I Peter 4:1-8

Gospel: ~~Matthew 27:57-66, or John 19:38-42~~

pp. 288-295: The Great Vigil of Easter:

p. 288: The story of Creation

~~Genesis 1:1-2:2~~ *Genesis 1:1-2:4a*

Psalm ~~33:1-11, or Psalm 36:5-10~~ *136:1-9,23-26*

p. 288: The Flood

~~Genesis 7:1-5, 11-18; 8:6-18; 9:8-13~~

Psalm 46

p. 289: Abraham's sacrifice of Isaac

~~Genesis 22:1-18~~

~~Psalm 33:12-22, or Psalm 16~~

p. 289: Israel's deliverance at the Red Sea

~~Exodus 14:10-15:1~~ *Exodus 14:10-31; 15:20-21*

Canticle 8, The Song of Moses

p. 290: God's Presence in a renewed Israel

~~Isaiah 4:2-6~~ *Baruch 3:9-15,32-4:4, or Proverbs 8:1-8,19-21;9:4b-6*

~~Psalm 122~~ *Psalm 19*

p. 290: Salvation offered freely to all

Isaiah 55:1-11

~~Canticle 9, The First Song of Isaiah, or Psalm 42:1-7~~

p. 290: A new heart and a new spirit

Ezekiel 36:24-28

~~Psalm 42:1-7, or Canticle 9, The First Song of Isaiah~~ *Psalms 42 and 43*

p. 291: The valley of dry bones

Ezekiel 37:1-14

~~Psalm 30, or Psalm 143~~

p. 291: The gathering of God's people

~~Zephaniah 3:12-20~~ *Zephaniah 3:14-20*

~~Psalm 98, or Psalm 126~~

p. 295: At the Eucharist

Gospel: *Year A* Matthew 28:1-10

Year B: Mark 16:1-8

Year C: Luke 24:1-12

Explanation

General Convention Resolution 2006-A077 resolved that "the Revised Common Lectionary shall be the Lectionary of this Church, amending the Lectionary on pp. 889-921 of the Book of Common Prayer." While the Revised Common Lectionary made no changes to Ash Wednesday, there are changes in the lectionary passages for each of the Holy Week liturgies and for the Easter Vigil. The section of "Proper Liturgies for Special Days" (pp. 270-295) includes the passages appointed for these days. As a result, the internal pages of the Book of Common Prayer are no longer consistent with the Lectionary. This resolution brings pages 270-295 of the BCP into conformity with the current Lectionary of The Episcopal Church.

Article X of the Constitution requires that revisions to the Book of Common Prayer are proposed in one regular meeting of General Convention, published to the Diocesan Conventions, and adopted at the next succeeding regular meeting of General Convention by a

vote by orders. This is the proposing resolution for revisions to the authorized text of the Book of Common Prayer, “Proper Liturgies for Special Days” (pp. 270–295) to reflect the previously approved changes to the Lectionary. If adopted, this revision will return to the next regular meeting of General Convention for second reading and vote by orders.

Resolution A061

Amend Canon II.2

Standing Commission on Liturgy and Music,
Blue Book, 177.

Resolved, the House of _____ concurring, That Canon II.2 be amended to read as follows:

Canon 2: Of Translations of the Bible

The Lessons prescribed in the Book of Common Prayer shall be read from the translation of the Holy Scriptures commonly known as the King James or Authorized Version (which is the historic Bible of this Church) together with the Marginal Readings authorized for use by the General Convention of 1901; or from one of the three translations known as Revised Versions, including the English Revision of 1881, the American Revision of 1901, and the Revised Standard Version of 1952; from the Jerusalem Bible of 1966; from the New English Bible with the Apocrypha of 1970; or from The 1976 Good News Bible (Today’s English Version); or from The New American Bible (1970); or from The Revised Standard Version, an Ecumenical Edition, commonly known as the “R.S.V. Common Bible” (1973); or from The New International Version (1978); or from The New Jerusalem Bible (1987); or from the Revised English Bible (1989); or from the New Revised Standard Version (1989) ~~(1990)~~; or from *The Message* (2002); or from *the Common English Bible* (2011); or from translations, authorized by the diocesan bishop, of those approved versions published in any other language; or from other versions of the Bible, including those in

languages other than English, which shall be authorized by diocesan bishops for specific use in congregations or ministries within their dioceses.

Explanation

This amendment seeks to authorize two additional translations of the Holy Scriptures for use in the reading the Lessons prescribed in the Book of Common Prayer. It also corrects the date of publication of the New Revised Standard Version, which the 1991 General Convention added to this canon.

The Common English Bible is an important new translation involving 120 biblical scholars from 22 denominations, including the Anglican Communion. The translators came from American, African, Asian, European, and Latino communities. An additional 500 people field-tested the translation.

The Message Bible (Colorado Springs: NavPress, 2002) offers good biblical scholarship and a keen grasp of the nuance of the Greek and Hebrew texts often missed by standard translations, and a vivid contemporary idiom that improves greatly upon *The Good News Bible*. For congregations desiring to hear scripture with a contemporary conversational feel, for youth wanting a more engaging and readable Bible, for comparative Bible study, and for those not fluent in traditional language, this Bible version preserves much of original the tone and rhythm in paraphrasing the original language texts in lively accessible English, ideal for reading aloud. Eugene Peterson, the author, is Professor Emeritus of Spiritual Theology at Regent College, Vancouver, is a Presbyterian pastor, poet, and author of many books, and earned his master's degree in Hebrew.

Resolution A062
Amend Canon II.3.5

Standing Commission on Liturgy and Music,
Blue Book, 178.

Resolved, the House of _____ concurring, That Canon II.3.5 is hereby amended to read as follows:

Sec. 5. No copy, translation, or edition of the Book of Common Prayer, or a part or parts thereof, shall be made, printed, published, or used as of authority in this Church, unless it contains the authorization of the Custodian of the Standard Book of Common Prayer, certifying that the Custodian or some person appointed by the Custodian has compared the said copy, translation, or edition with the said Standard, or a certified copy thereof, and that it conforms thereto. *The Custodian, or some person appointed by the Custodian, may exercise due discretion in reference to translations of the entire Standard Book or parts thereof, into the Church's other official languages, so that such translations reflect the idiomatic style and cultural context of those languages.* And no copy, translation, or edition of the Book of Common Prayer, or a part or parts thereof, shall be made, printed, published, or used as of authority in this Church, or certified as aforesaid, which contains or is bound up with any alterations or additions thereto, or with any other matter, except the Holy Scriptures or the authorized Hymnal of this Church, or with material set forth in the Book of Occasional Services and The Proper for the Lesser Feasts and Fasts, as those books are authorized from time to time by the General Convention.

Explanation

Throughout our history, translations from the Standard Book of Common Prayer have tended to be rather literal translations on the *formal equivalence* model. To be a multi-lingual church with three official languages, it would seem to be a matter of simple justice to encourage a degree of idiomatic freedom, moving in

the direction of *dynamic equivalence*, for translations of the Standard Book into French and Spanish. Moving in this direction could have positive implications for inculturation and evangelism, while remaining faithful to the content and direction of the Standard Book.

Resolution A065

Add Canon III.12.9

Standing Commission on Ministry Development,
Blue Book, 478-82.

Resolved, the House of _____ concurring, That Canon III.12 is hereby amended to include a new Section 9 to read as follows:

Sec. 9. Reconciliation or Dissolution of the Episcopal Relationship

(a) There shall be a Reconciliation Council comprised of the Presiding Bishop, the President of the House of Deputies, the Vice President of the House of Bishops and the Vice President of the House of Deputies. In the event of a vacancy on the Reconciliation Council due to the incapacity of a member or a vacancy in any of the four offices whose members comprise the Reconciliation Council, the vacancy shall be filled within one month of its arising and as follows: (i) where either of the episcopal positions is vacant, the Presiding Bishop's Council of Advice shall appoint a Bishop to fill the vacancy; (ii) where either the clerical or lay position is vacant, the vacancy shall be filled by an appointment made by a majority of the clerical and lay members of Executive Council with a clerical vacancy being filled by a member of the clergy and a lay vacancy being filled by a member of the laity.

(b) When within a Diocese serious and sustained disagreement or dissension exists between or among any of the Bishop Diocesan, Bishop Coadjutor, or Bishop Suffragan, or between or among any of these and the Standing Committee or Diocesan Convention, such that the disagreement or dissension imperils their relationship or otherwise seriously

compromises the diocese's faithfulness to God's mission, any one or more of them may petition the Presiding Bishop to convene the Reconciliation Council to intervene and assist in resolving the disagreement or dissension. A Standing Committee's decision to file a petition must be supported by a resolution adopted by a vote of two-thirds of all members of the Standing Committee, and which designates not fewer than three and not more than five members of the Standing Committee to act on behalf of the Committee, which number shall include both orders and may not include the Chancellor or any Vice or Deputy Chancellor. A Diocesan Convention's decision to file a petition must be supported by a resolution adopted by a vote taken in the same manner the Convention uses in electing a bishop, at an annual or special meeting of the Convention and which designates not fewer than three and not more than five Convention delegates to act on behalf of the Convention, which number shall include both orders and may not include the Chancellor or any Vice or Deputy Chancellor. The petition shall be in writing and shall include sufficient information to inform the Reconciliation Council and the parties involved of the nature, causes, and specifics of the disagreement or dissension, and the steps previously taken to resolve the disagreement or dissension.

(c) Within fourteen days of receipt of the petition, the Presiding Bishop shall send the petitioner acknowledgement of receipt and shall deliver a copy of the petition to all other parties to the disagreement or dissension and to the other members of the Reconciliation Council. In cases where the only parties to the disagreement or dissension are bishops, the Presiding Bishop also shall send a copy of the petition to the Standing Committee of the Diocese and to the Secretary of the Diocesan Convention who shall distribute the petition to the clergy and lay delegates.

(d) Promptly, but no later than forty-five days from the date the petition is received by the Presiding Bishop, the Reconciliation Council shall direct that all appropriate pastoral steps are taken to facilitate a resolution of the

disagreement or dissension in every informal way, and may appoint a consultant for administrative and other appropriate support services, or provide for mediation between or among the parties, or both. The parties, following the recommendations of the Reconciliation Council, shall labor in good faith that they may be reconciled or reach a mutual decision for dissolution.

In order to facilitate a successful reconciliation process, the Reconciliation Council may direct any of the following:

(1) That any Bishop who is a party undergo such examination and assessment as may be determined by the Reconciliation Council. The results of the examinations and assessments shall be made available to those examined and to the Reconciliation Council.

(2) That where the Standing Committee is a party its members undergo such examination and assessment as may be determined by the Reconciliation Council. The results of the examinations and assessments shall be made available to those examined and to the Reconciliation Council.

(3) Any other investigation, examination, assessment and reporting in the course of the reconciliation process as the Reconciliation Council determines to be consistent with the good order of the Church, the results of which shall be reported fully to the Reconciliation Council.

The Reconciliation Council in its discretion and with written agreement of those examined, may share the results of any examination or assessment arising from subdivisions 1 or 2 of this subsection (d), or a summary thereof, with such parties and other persons as may be conducive to the reconciliation goals of this Canon. The Reconciliation Council in its discretion may share the results of any examination, investigation, assessment or report arising from subdivision 3, or a summary thereof, with such parties and other persons as may be conducive to the reconciliation goals of this Canon.

(e) The Reconciliation Council shall monitor the progress of the reconciliation of the disagreement or dissension with care and diligence, and shall ensure that the parties are kept

apprised of the progress, or lack thereof, at least every three months. The Reconciliation Council may set and adjust a schedule for the reconciliation efforts, and shall require periodic reports from any consultant or mediator involved in the process. After six months have passed from the receipt of the petition, the Reconciliation Council shall meet to review the matter and discern whether sufficient progress has been made to warrant additional reconciliation efforts. If the Reconciliation Council discerns that sufficient progress has been made to warrant additional reconciliation efforts, it shall establish a plan for continuing the efforts, and continue to monitor the process and keep the parties informed as provided in this subsection. At the six-month point or at any point thereafter, if the Reconciliation Council discerns that sufficient progress has not been made and that there is no good cause to warrant additional reconciliation efforts, it shall proceed as provided in subsections (g) and (h) of this Canon.

(f) If the differences between the parties are resolved through the process described in subsections (d) and (e) of this canon to the satisfaction of them and the Reconciliation Council, the resolution shall be incorporated into a written reconciliation agreement signed by the parties and the Presiding Bishop on behalf of the Reconciliation Council. The reconciliation agreement shall make careful and thorough provision for the agreement of the parties and for the implementation of the terms of the agreement, which shall include definitions of responsibility and accountability for each party, and any other bodies or individuals within the diocese whose participation is essential, and which may include but is not limited to mutual evaluation, continued mediation, the restriction of the ministry of a Bishop or the resignation of some or all parties in the spirit of reconciliation. If the Diocesan Convention is a party to the reconciliation agreement, it must adopt the agreement in order for the agreement to become binding upon it. The terms and conditions of a reconciliation agreement shall be binding on the parties to the agreement, the Diocese,

the Diocese's Ecclesiastical Authority and all Diocesan governing bodies.

(g) A reconciliation agreement that provides for the resignation of a Bishop is subject to the consent provisions of Article II.6 of the Constitution and Canon III.12.8 (d), (e).

In the event that any required consent to a reconciliation agreement is not forthcoming, the parties and the Reconciliation Council shall proceed as provided in subsections (h) and (i) of this Canon, as though no reconciliation agreement was made.

(h) If the Reconciliation Council has discerned that notwithstanding concerted and sustained efforts, sufficient progress has not been made toward reconciliation and that there is no good cause to warrant additional reconciliation efforts, it shall so notify the parties and in the notice explain the reasons for this decision. The Reconciliation Council shall then promptly, but no later than 60 days following delivery of the notice, deliberate and issue a judgment resolving the disagreement or dissension. The judgment shall be in writing, shall explain the reasons for its provisions, and may order the dissolution of the relationship between a Bishop and the Diocese by 1) the removal of a Bishop, 2) the removal of some or all members of the Standing Committee, 3) the removal of both a Bishop and some or all members of the Standing Committee 4) the restriction of the ministry of a Bishop, and 5) any other action that is appropriate under the circumstances. In order to issue a judgment, the Reconciliation Council must find both (i) that notwithstanding the taking of all reasonable efforts, the disagreement or dissension is irreconcilable under the circumstances of the imperfection of the human condition and (ii) that the Diocese's faithfulness to God's mission is gravely compromised by the irreconcilable disagreement or dissension.

(i) No judgment issued by the Reconciliation Council under subsection (g) of this Canon that provides for the dissolution of the relationship between a Bishop and the Diocese by 1) the removal of a Bishop, 2) the removal of some or all members of

the Standing Committee, 3) the removal of both a Bishop and some or all members of the Standing Committee, may become effective without the consent of the Diocesan Convention of the Diocese and in the case of the removal of a bishop the consent of the House of Bishops, following the vote of the Diocesan Convention. If the Diocesan Convention shall not have a meeting scheduled within three months of the issuance of the Reconciliation Council's judgment, the Reconciliation Council shall direct the Secretary of the Diocesan Convention to call a special meeting of the Diocesan Convention to consider the matter within such time. If the House of Bishops shall not have a meeting scheduled within three months of the Diocesan Convention's action, the Presiding Bishop shall call a special meeting of the House for the purpose of acting on the matter.

(j) Upon receipt of a signed reconciliation agreement, the Reconciliation Council shall send a copy thereof, together with an abstract of the matter, to all parties and to the Secretary of the Diocesan Convention of the Diocese.

(k) If at any time prior to the effective date of a judgment issued by the Reconciliation Council under subsection (g) of this Canon the parties and the Reconciliation Council enter into a reconciliation agreement as provided in subsections (e) and (f) of this Canon, the judgment shall be rescinded.

(l) In the event of the failure or refusal of a party to comply with the terms of a reconciliation agreement or a judgment of the Reconciliation Council that has received any consents required by subsection (i), the Reconciliation Council may invoke such remedies as may be set forth in the Constitution and Canons of the Episcopal Church.

(m) For good cause, the Reconciliation Council may extend or shorten the time periods specified in this Canon, for the good order of the Church, provided that progress in the reconciliation or dissolution process is not unduly impaired. All parties shall be notified in writing of the length of any change to a time period.

(n) Written and oral statements made during the course of proceedings under this Canon are not discoverable or admissible in any proceeding under Title IV of these Canons provided that this shall not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible.

(o) If prior to, or in the course of, proceedings under this Canon, a Title IV Offense is alleged against a Bishop who is a party to a proceeding under this Canon the Reconciliation Council may, but need not, suspend some or all proceedings under this Canon for a period determined by the Reconciliation Council.

(p) In any process under this Canon, each party, and the Reconciliation Council, shall bear its own costs.

(r) In any process under this Canon, a party may be represented by an attorney, but representation by an attorney shall not excuse a party from the obligation to personally engage in the processes described in this Canon fully and in good faith.

(s) The Reconciliation Council may adopt rules, procedures and guidelines for its governance and procedures, consistent with this Canon and the Constitution and Canons of the Church.

And be it further

Resolved, That the General Convention request the Joint Standing Committee on Program, Budget and Finance to consider a budget allocation of \$105,000 for the implementation of this resolution.

Explanation

Where there is serious and prolonged dissension or disagreement, God's mission is impeded. The spirit of the proposed canon, drafted in response to General Convention Resolution 2009-B014, is grounded first and foremost on seeking reconciliation and healing in such cases so that God's mission may thrive. The canon assumes that the parties have already made some effort

to ameliorate their differences and have come to recognize the need for support or assistance. When there is dissension between or among the Bishop Diocesan, Bishop Coadjutor, or Bishop Suffragan, or any of these and the Standing Committee or Diocesan Convention, any of these may initiate the reconciliation process offered by this proposed canon. The proposed canon offers options for reaching reconciliation through a variety of means. However, it also recognizes that when other options have been exhausted, the dissolution of relationships is a legitimate avenue for healing and reconciliation.

Resolution A066

Add Canon III.9.14

Standing Commission on Ministry Development,
Blue Book, 482.

Resolved, the House of _____ concurring, That Title III, Canon 9 be amended by adding a new Section 14 as follows:

Sec. 14. Impairment of a Member of the Clergy

(a) If, in the Bishop's judgment, there is sufficient reason to believe that the ministry of a member of the clergy serving a congregation of the diocese is severely impaired by physical, mental or substance abuse-related causes, it shall be the duty of the Bishop to raise this concern with the member of the clergy and the bishop may require a medical and/or psychological assessment.

(b) Should an assessment indicate that treatment is necessary, it shall be the duty of the Bishop to provide assistance in making that treatment possible.

(c) Should the Bishop, after laboring to assist the member of the clergy in securing treatment, have reason to believe that the impairment continues to cause distress in the congregation, the bishop shall consult with the vestry to enlist their help on resolution of the matter; and if, in the Bishop's judgment, the matter is not resolved, then to present this

concern to the Standing Committee and request that an independent assessment be made of the relationship of the member of the clergy and the congregation.

(d) Should that assessment indicate that the parish is sufficiently threatened by the impairment of the clergy and should the Standing Committee concur by a 2/3 vote with this assessment, the Standing Committee shall recommend a course of action to the bishop, which may include that the pastoral relationship of the priest and congregation be terminated, according to the provisions Section 13.d.6 through Section h.

[No explanatory paragraph is included. The introduction to the proposed amendment, however, reads as follows:

The ministry of a congregation is seriously compromised by the impairment of a member of the clergy; this resolution provides a process through which a bishop is obliged to respond by seeking assessment and treatment for the clergy person and which gives the Standing Committee in the most extreme cases the responsibility of making a recommendation to the bishop for the dissolution of a pastoral relationship.]

Resolution A071

Amend Canon III.8.5(g)(5)

Standing Commission on the Mission and Evangelism
of The Episcopal Church, *Blue Book*, 502-03.

Resolved, The House of _____ concurring, that Canon III.8.5(g)(5) is hereby amended to read as follows:

(5) Studies in contemporary society, including the historical and contemporary experience of racial and minority groups, and cross-cultural ~~ministry skills~~ *training and cultural competencies with the following domestic ethnicities/cultures: people of Asian descent, people of African descent, people of indigenous/Native American descent, people of Latino/Hispanic descent, young people and*

sexual minorities. Cross-cultural ministry skills may include the ability to communicate in a contemporary language other than one's first language.

And be it further

Resolved, That the 77th General Convention challenge seminaries to develop at least one course or partner with another organization to provide students with cross-cultural training and competency; and be it further

Resolved, That each seminary in The Episcopal Church submit a report to the Standing Commission on the Mission and Evangelism of The Episcopal Church each year beginning in 2013 to document their work in this area.

Explanation

Luke 10:2: "And Jesus said, 'The harvest is plentiful, but the laborers are few. Therefore pray earnestly to the Lord of the harvest to send out laborers into his harvest.'"

Recent studies prove that the fastest-growing congregations in the Episcopal Church are those that intentionally invite and welcome other ethnicities and cultures to experience God's love. And yet, clergy and seminarians report that there is little adequate preparation around the canonical area "Contemporary Society." Seminaries can and should highlight cultural exposure and language acquisition, but appropriate formation for ordained leadership today must also include cross-cultural training. With this background, leaders can help communities to truly engage the cultures that will soon make up the majority of our mission field.

Resolution A072

Add Canon III.8(5)(h)(5)

Standing Commission on the Mission and Evangelism
of The Episcopal Church, *Blue Book*, 503.

Resolved, The House of _____ concurring, that Canon III.8.5(h) is hereby amended to add subsection 5:

(5) the practice of ministry development and evangelism.

And be it further

Resolved, That preparation for ordination to the diaconate and priesthood, as well as preparation for people who serve as lay pastoral leaders (lay leaders of congregational teams), include achieving competency in the leadership arts of ministry development and evangelism, either by participating in training(s) or completing coursework that addresses the following skills: 1) understanding differences in cultural contexts, 2) storytelling as a practice for evangelism and community-building, 3) growing and facilitating the leadership of all God's people, 4) building teams of lay leaders, 5) identifying leaders and their passions and calling forth gifts, 6) building capacity in nonprofit organizations, and 7) engaging God's mission in the local community and in the world; and be it further

Resolved, That the College for Bishops provide training in ministry development and evangelism, addressing the above skill areas, within the triennium ending in 2015.

Explanation

Ephesians 4:11-12: "So Christ gave [some] to equip the saints for the work of ministry, for building up the body of Christ."

Whether they are based in a conventional ministry or an innovative one, today's church leaders simply have to be adept at building relationships, sharing faith stories, creating networks, understanding cultural context, growing the people's leadership and facilitating teams. Too many leaders enter ministry and discover they have little capacity in these critical areas.

The acquisition of these skills has been part of basic training for ministry developers, church starters and

community organizers for decades, and it is now essential that they be incorporated into the training of those who lead our congregations and dioceses.

While there is no single Episcopal program for acquiring these skills, the following resources are recommended:

- 1) Public Narrative (New Organizing Institute),
- 2) Faith-Based Community Organizing (Industrial Areas Foundation, Gamaliel Network, PICO Network),
- 3) Total Ministry (Living Stones Partnership),
- 4) Circle Leadership (Indigenous Theological Training Institute),
- 5) Asset-Based Community Development (Asset-Based Community Development Institute), and
- 6) Facilitative Leadership (Interaction Institute for Social Change).

- 1) <http://neworganizing.com>,
- 2) <http://www.industrialareasfoundation.org>,
<http://www.gamaliel.org>, <http://www.piconetwork.org>,
- 3) <http://www.livingstonespartnership.net>,
- 4)
<http://www.indigenoustheologicaltraininginstitute.org>,
- 5) <http://www.abcdinstitute.org>, and
- 6) <http://interactioninstitute.org>.

Resolution A100

Coordinate Church Reform and Restructuring
Standing Commission on the Structure of the Church,
Blue Book, 540-41.

Resolved, the House of _____ concurring, That consistent with the canonical mandate of the Standing Commission on the Structure of the Church, the Commission shall encourage and coordinate the various reform and restructuring efforts happening within the Church; and be it further

Resolved, that the Standing Commission on the Structure of the Church receive and review these various

governance reform and restructuring proposals from around the Church; and be it further

Resolved, that the Standing Commission on Structure develop a framework for diocesan and provincial conversations regarding how to defines mission and how a diocese's ministries and those of its congregations could be enhanced by changes in organization of the Church and provincial staff, program focus and delivery, revenue sharing, and any other important factors, and shall monitor and collate the results of such conversations; and be it further

Resolved, that the several dioceses of the Church shall hold diocesan conversations on this subject in 2013 and report their outcomes to SCSC; and be it further

Resolved, that following the diocesan conversations, each province shall hold further conversations among its dioceses on this subject, sharing the outcomes of their respective conversations and considering the ways in which the province may be a useful part of the effort to align the missional organization and enhance ministry at the various levels of the Church, and report the outcomes of the provincial conversations to the Commission; and be it further

Resolved, that the Commission report the findings of these conversations and its recommendations to the 78th General Convention; and be it further

Resolved, that the Joint Standing Committee on Program, Budget and Finance consider adding \$25,000 to the budget of the Commission to cover the costs of this mandate.

Explanation

The canonical mandate of the Standing Commission on the Structure of the Church makes it the logical and proper coordinator of the various efforts around the Church to improve, restructure and reform Church governance.

Resolution A102

Amend Article V of the Constitution

Standing Commission on the Structure of the Church,

Blue Book, 542-44.

Resolved, the House of _____ concurring, That the 77th General Convention amend Article V of the Constitution to read as follows:

ARTICLE V

Sec. 1. A new Diocese may be formed, with the consent of the General Convention and under such conditions as the General Convention shall prescribe by ~~General Canon or Canons~~, (1) by the division of an existing Diocese; (2) by the junction of two or more Dioceses or of parts of two or more Dioceses; or (3) by the erection into a Diocese of an unorganized area evangelized as provided in Article VI. The proceedings shall originate in a Convocation of the Clergy and Laity of the unorganized area called by the Bishop for that purpose; or, with the approval of the Bishop, in the Convention of the Diocese to be divided; or (when it is proposed to form a new Diocese by the junction of two or more existing Dioceses or of parts of two or more Dioceses) by mutual agreement of the Conventions of the Dioceses concerned, with the approval of the ~~Bishop~~ Ecclesiastical Authority of each Diocese. In case the Episcopate of a Diocese be vacant, no proceedings toward its division shall be taken until the vacancy is filled. After consent of the General Convention, when a certified copy of the duly adopted Constitution of the new Diocese, including an unqualified accession to the Constitution and Canons of this Church, shall have been filed with the Secretary of the General Convention and approved by the Executive Council of this Church, ~~such~~ the new Diocese shall thereupon be in union with the General Convention.

Sec. 2. In case one Diocese shall be divided into two or more Dioceses, the Bishop of the Diocese divided, ~~if there be one,~~ at least thirty days before such division, shall select the Diocese in which the Bishop will continue in jurisdiction. The Bishop Coadjutor, if there be one, subsequently and before the effective date of the division, shall select the Diocese in which the Bishop Coadjutor shall continue in jurisdiction, and, if it not be the Diocese selected by the Bishop, shall become the Bishop thereof.

Sec. 3. In case a Diocese shall be formed out of parts of two or more Dioceses, each of the Bishops and Bishops Coadjutor of the several Dioceses out of which the new Diocese has been formed shall be entitled, in order of seniority of ~~consecration~~ ordination to the episcopate, to the choice between the Bishop's Diocese and the new Diocese so formed. In the case the new Diocese shall not be so chosen, it shall have the right to choose its own Bishop.

Sec. 4. Whenever a new Diocese is formed and erected out of an existing Diocese, it shall be subject to the Constitution and Canons of the Diocese out of which it was formed, except as local circumstances may prevent, until ~~the same be altered in accordance with such the convention of the new diocese adopts its own~~ Constitution and Canons ~~by the Convention of the new Diocese.~~

Whenever a Diocese is formed out of two or more existing Dioceses, it shall be subject to the Constitution and Canons of that one of the ~~said~~ existing Dioceses to which the greater number of Members of the Clergy shall have belonged prior to the erection of ~~such the~~ new Diocese, except as local circumstances may prevent, until the ~~same be altered in accordance with such~~ convention of the new Diocese adopts its own Constitution and Canons ~~adopted by the Convention of the new Diocese.~~

Sec. 5. No new Diocese shall be formed unless it shall contain at least ~~six~~fifteen Parishes and at least ~~six~~fifteen ~~Presbyters~~Priests who have been for at least one year canonically resident within the bounds of such new Diocese, regularly settled in a Parish or Congregation and qualified to vote for a Bishop. Nor shall such new Diocese be formed if thereby any existing Diocese shall be so reduced as to contain fewer than ~~twelve~~twelve Parishes and ~~twelve~~fifteen ~~Presbyters~~Priests who have been residing therein and settled and qualified as above provided.

Sec. 6. By mutual agreement between the Conventions of two adjoining Dioceses, consented to by the Ecclesiastical Authority of each Diocese, a portion of the territory of one of said Dioceses may be ceded to the other Diocese, such cession to be considered complete upon approval thereof by (a) if within one hundred twenty days before a meeting of the General Convention, the General Convention or (b) if not within one hundred twenty days before a meeting of the General Convention, ~~by a majority of Bishops having jurisdiction in the United States,~~ and of the Standing Committees of the Dioceses, in accordance with the Canons of this Church. Thereupon the part of the territory so ceded shall become a part of the Diocese accepting the same. The provisions of Section 3 of this Article ~~V~~ shall not apply in such case, and the Bishop and Bishop Coadjutor, if any, of the Diocese ceding such territory shall continue in their jurisdiction over the remainder of such Diocese, and the Bishop and Bishop Coadjutor, if any, of the Diocese accepting cession of such territory shall continue in jurisdiction over such Diocese and shall have jurisdiction in that part of the territory of the other Diocese that has been so ceded and accepted

Explanation

This Resolution amends Article V, Sec.1, to allow the Ecclesiastical Authority, which could be the Bishop Diocesan or, in the absence of one, the Standing Committee, to participate in the diocese's approval of a plan to form a new diocese by joining two or more dioceses or parts of them. It also proposes two other substantive changes and several non-substantive ones. The amendment in Sec. 5 would increase the number of parishes and canonically resident priests required to form a new diocese in an effort to ensure that the affected dioceses will have the resources to function effectively and sustainably. The amendment to Section 6 introduces a standard by which to determine whether the proposed change needs to be presented to General Convention or to Bishops and Standing Committees for the Church's approval. Currently both alternatives are provided without a consistent means to determine which should be used. The standard proposed is the same as for consents to elections of Bishops. The other amendments are non-substantive, designed to make the language of this Article consistent with the usage more recently adopted in other revisions to articles and canons.

Resolution A103

Study Title IV Disciplinary Canons

Standing Commission on the Structure of the Church

Blue Book, 544-45.

Resolved, the House of _____ concurring, That appropriate staff from the Global Partnerships department of the Episcopal Church Center assist the Standing Commission on Constitution and Canons, in consultation with appropriate persons in the affected dioceses, in evaluating the applicability of Title IV of the Canons of The Episcopal Church in each diocese or convocation not subject to the laws of the United States,

so that the Commission may make recommendations to the 78th General Convention regarding ways to amend Title IV or to assist those dioceses to harmonize their diocesan canons with the foundational principles embodied in Title IV, and be it further

Resolved, that the Joint Committee on Program, Budget and Finance consider adding \$100,000 to the budget of the Global Partnerships department to support the necessary international consultations.

Explanation

The 76th General Convention charged the Commission to investigate this issue and report back to a future General Convention. The Commission concluded that an adequate exploration of the challenges and appropriate accommodations in this international legal puzzle requires the expertise of the Standing Commission on Constitution and Canons, aided by experts in the local laws potentially in conflict with The Church's foundational documents. An especially important context is the discipline canons of Title IV, where local legal differences may make fulfilling the intent of these canons difficult and put the integrity of the Church at risk as well. Additional budgetary resources are necessary to enable a full consideration of the contexts in the breadth of countries involved, including adequate opportunities for consultation with knowledgeable representatives.

Resolution A104

Amend Canon I.4.3(a)

Standing Commission on the Structure of the Church,
Blue Book, 546.

Resolved, the House of _____ concurring, That Canon I.4.3(a) be amended to read as follows:

Sec. 3 (a) The Presiding Bishop shall be *ex officio* the Chair and President. However, at the first meeting of the

Executive Council following the adjournment of any General Convention at which a Presiding Bishop is elected if it occurs before the commencement of the term of the newly elected Presiding Bishop, the Presiding Bishop-elect shall be *ex officio* the Chair and President. The Chair and President shall be the chief executive officer of the Executive Council and as such the Chair and President shall have ultimate responsibility for the oversight of the work of the Executive Council in the implementation of the ministry and mission of the Church as may be committed to the Executive Council by the General Convention.

Explanation

In 2000, an amendment to Canon I.4.3(a) passed, providing that the Presiding Bishop-elect would preside at an Executive Council meeting scheduled between the election and the beginning of the new Presiding Bishop's term. The rationale was that this provision would allow the incoming Presiding Bishop to participate in making appointments for the reorganization of the Executive Council occasioned by election of a new class of members at the preceding General Convention. However, this provision creates a canonically irregular and undesirable situation by allowing a person who has not taken office to exercise the responsibilities of that office while the incumbent is still serving in all other capacities. It has not been used since its enactment, because the first Executive Council meeting after the 2006 General Convention was scheduled after the investiture of the new Presiding Bishop. If in the future the Council is concerned about who will preside at its first meeting after the electing Convention, it can avoid the problem as it did in 2006, by scheduling that meeting after the investiture.

In the Commission's consultations with Bishop Griswold and Presiding Bishop Jefferts Schori, both felt

that having to be the Chair and President of the Executive Council prior to their investitures would have been an unwelcome burden, distracting them from the important work of transitioning from their dioceses to their new position. Both recognized the importance of having time to properly close out their ministries in their respective dioceses and to prepare themselves spiritually and mentally for their new responsibilities, as well as beginning to learn the details of operation at the Church Center. Having to preside would have greatly compressed the learning curve for them when the retiring Presiding Bishop was in the best position to continue working with staff and the other officers to set the agenda for a meeting if it occurred before they had taken office. Having the retiring Presiding Bishop exercise a familiar responsibility could also be seen as aiding continuity in the work of Executive Council at an important juncture, given that the first meeting after a General Convention is the meeting at which a newly elected class of Council members also is introduced and oriented to the work of the Council. Consultation between the outgoing Presiding Bishop and the newly elected one in preparation for this meeting is not only possible without this provision, but has been the practice from before the provision's adoption.

Resolution A105

Amend Canon I.2.1

Standing Commission on the Structure of the Church,
Blue Book, 547-48.

Resolved, the House of Bishops concurring, That Canon I.2.1 be amended by adding a new subsection (e), with succeeding subsections to be re-lettered as necessary, to read as follows:

Sec. 1(e) The Joint Nominating Committee shall develop and manage a process for soliciting and identifying qualified nominees for the office of Presiding Bishop and

for providing the nominees to the General Convention at which a Presiding Bishop is to be elected. The process shall include (1) providing the names of not fewer than three members of the House of Bishops for consideration by the House of Bishops and the House of Deputies in the choice of a Presiding Bishop; (2) establishing a timely process for any bishop or deputy to express the intent to nominate any other member of the House of Bishops from the floor at the time the Joint Nominating Committee presents its nominees to the joint session of the two Houses, and for each Bishop so nominated to be included in the information distributed about the nominees; (3) providing pastoral care for each nominee bishop and his or her family and diocese; and (4) determining and providing for transition assistance to the Presiding Bishop and the Presiding Bishop-elect.

Explanation

The current language of Canon I.2.1 only directs the Joint Nominating Committee for the Election of the Presiding Bishop to bring forward names to the electing convention. In the last several elections, the Joint Nominating Committee has found it necessary to deal with other related issues as well, such as the need for advance notice of who might be nominated from the floor so that the necessary background checks can be performed ahead of time and to assure that floor nominees have equal access to whatever introductory process is used for the Committee's nominees. After the last election, the Joint Nominating Committee recommended that the canon should be amended to specify who is to be responsible for seeing that these other important aspects of the process are properly attended to. The Commission sees the Joint Nominating Committee as the logical entity to oversee or coordinate these tasks which are integral to providing the Church and the nominees with a fair and respectful process.

Resolution A106

Amend Canon I.9

Standing Commission on the Structure of the Church,
Blue Book, 548.

Resolved, the House of _____ concurring, That Canon I.9 be amended by adding a new subsection 12 to read as follows:

Sec. 12. The President of each Province shall annually submit to the Executive Council a written report on the ministries, programs and other work of the Province, including a description in reasonable detail of how funds appropriated by the General Convention have been used, and shall report on their work to the Executive Council, on the date and in the form specified by the Executive Council.

Explanation

This Resolution proposes to enhance the connection between the Provinces and the General Convention by formalizing Provincial accountability for being critical vehicles for the mission and ministry of the Church as they expend funds appropriated by the General Convention. Annual reporting to Executive Council is a simple, direct and logical means of achieving this end, allowing each province flexibility to continue to meet the specific needs of its dioceses, while underscoring its responsibility to the General Convention as well.

Resolution A107

Amend Canon I.1.5

Standing Commission on the Structure of the Church,
Blue Book, 548-50.

Resolved, the House of _____ concurring, That Canon I.1.5 be revised to read as follows:

Sec. 5 (a) The Secretary of the General Convention shall, ex officio, be ~~House of Deputies, upon the nomination of~~

~~the House of Bishops, shall elect a Presbyter, to be known as the Registrar of the General Convention,~~ whose duty it shall be to receive all Journals, files, papers, reports, and other documents or articles that are, or shall become, the property of either House of the General Convention, and to transmit the same to the Archives of the Church as prescribed by the Archivist.

(b) It shall also be the duty of the said Registrar to maintain suitable records of the ordinations and consecrations of all the Bishops of this Church, designating accurately the time and place of the same, with the names of the consecrating Bishops, and of others present and assisting; to have the same authenticated in the fullest manner practicable; and to take care for the similar record and authentication of all future ordinations, ~~and~~—consecrations and installations of Bishops in this Church; and to transmit the same to the Archives of the Church when and as prescribed by the Archivist. Due notice of the time and place of such ordinations and consecrations shall be given by the Presiding Bishop to the Registrar; and thereupon it shall be the duty of the Registrar to attend such ordinations and consecrations, either in person or by appointing a clergy or lay deputy Registrar.

(c) The Registrar shall prepare, in such form as the House of Bishops shall prescribe, the Letters of Ordination and Consecration in duplicate, shall have the same immediately signed and sealed by the ordaining and consecrating Bishops, and by such other Bishops assisting as may be practicable, shall deliver to the newly consecrated Bishop one of the said Letters, shall carefully file and retain the other, and shall make a minute thereof in the official records.

(d) The Registrar shall also be Historiographer, unless in any case the House of Bishops shall make a separate nomination; and in this event the House of Deputies shall confirm the nomination.

(e) The necessary expenses incurred under this Section shall be paid by the Treasurer of the General Convention.

(f) It shall be the duty of the secretaries of both Houses to deliver to the Registrar the minutes of both Houses, together with the Journals, files, papers, reports, electronic records, and all other records of either House in a manner prescribed by the Archivist. The minutes of both Houses shall remain filed until after the adjournment of the first General Convention following that at which such minutes shall have been taken; Provided, however, that any part of such minutes, for any reason unpublished in the Journal, shall remain filed in the Archives. The Secretary of the House of Deputies shall also deliver to the Registrar, as prescribed by the Archivist, when not otherwise expressly directed, all the Journals, files, papers, reports, and other published, unpublished or electronic documents specified in Canon I.6. The Secretaries shall require the Registrar to give them receipts for the Journals and other records. The Registrar shall transmit the records of the secretaries of both Houses to the Archivist of the Church.

(g) In the case of a vacancy in the office of Registrar, the Presiding Bishop shall appoint a Registrar, who shall hold office until the next General Convention.

Explanation

Canon I.1.5 establishes the office of Registrar of the General Convention and spells out the Registrar's duties. The duties include compiling and delivering to the Archives all records generated by both Houses at General Convention (I.1.5(a)); maintaining accurate records of the ordinations and consecrations of all bishops of the Church and attending them (either in person or by deputy) (I.1.5(b)); preparing the Letters of Ordination and Consecration used at ordinations and consecrations of bishops (I.1.5(c)); and serving as Historiographer of the General Convention (unless, as is

the norm, a different person is chosen by the House of Bishops and confirmed by the House of Deputies)(I.1.5(d)).

According to information from the Archives, the office of Registrar of the General Convention had been held by the Secretary of the General Convention from its inception in 1853 until 1997, when a vacancy in the office was filled by the Canon to the Presiding Bishop, appointed by the Presiding Bishop pursuant to Canon I.1.5(g). Since then, the Canon to the Presiding Bishop has been performing the Registrar's duties related to ordinations and consecrations of bishops, while the Secretary of the General Convention has been performing the Registrar's duties related to the records of the two Houses of General Convention. The Commission has examined this practice and believes that the Church should revert to the prior longstanding practice where all the duties are carried out by the same individual. Further, the Commission has concluded that the office should be held by the Secretary of the General Convention, *ex officio*. The Secretary has the staff resources to fulfill the clerical tasks involved. Moreover, the Secretary is an officer of the General Convention, elected by both houses, and at consecrations of bishops represents the other orders of ministry. The Secretary's presence is a sign that consecrations are not a function solely of a particular diocese, nor of the House of Bishops, but of the entire Church.

The Commission understands that this change has the support of the incumbent Secretary, the two previous Secretaries and the Archivist. The Commission discussed the proposal with Charles Robinson, current Canon to the Presiding Bishop, who was agreeable to the proposal, stressing that while it is necessary and important for him to attend ordinations and consecrations, to assist the Presiding Bishop and to build relationships with Diocesan leaders, holding the office of

Registrar is not critical to these non-canonical functions. The Commission worked closely with the Secretary Straub and Archivist Duffy in researching and drafting the proposed revisions to these canons.

Inserting “installation” in Section 5(b) of the canon covers a bishop who is translating from one episcopal office (e.g., Bishop Suffragan) to another (Bishop Diocesan). Technically, there is no “ordination,” nor is there a second consecration to the office of bishop, so the service is often thought of as an installation or seating. The insertion is recommended by the Archivist and the Registrar in order to assure that complete records of such installations are maintained by the Registrar and filed with the Archivist.

The Commission studied the canonical requirement that the Registrar be a priest, and found no compelling reason for the provision, particularly when the Secretary is not required to be a priest. Finally, the Commission believes it would be wise to specify that where the Registrar is unable to attend an ordination and consecration of a bishop, he or she may appoint a clergy or lay Deputy Registrar.

Resolution A116

Amend Canon I.3, Article III

The Executive Council, *Blue Book*, 585.

Resolved, the House of _____ concurring, That Canon I.3. Article III be amended to read:

ARTICLE III The officers of the Society shall be a President, Vice Presidents, a Secretary, a Treasurer, and such other officers as may be appointed in accordance with the Canons or By-Laws. The Presiding Bishop of the Church shall be the President of the Society; one Vice President shall be the person who is the President of the House of Deputies; and one Vice President shall be the person who is the ~~executive director~~ *Chief Operating Officer*; the Treasurer shall be the person who is the *Chief*

Financial Officer of the Executive Council; and the Secretary shall be the person who is the Secretary of the Executive Council, and shall have such powers and perform such duties as may be assigned by the By-Laws. The other officers of the Society shall be such as are provided for by the By-Laws of the Society. The tenure of office, compensation, powers, and duties of the officers of the Society shall be such as are prescribed by the Canons and by the By-laws of the Society not inconsistent therewith.

Explanation

Cleans up the language from the intended revisions in 1997.

Resolution A117

Amend Canon I.4.1(c)

The Executive Council, *Blue Book*, 585.

Resolved, the House of _____ concurring, that Title I.4.1(c) be amended to read:

(c) The Executive Council shall be composed (a) of twenty members elected by the General Convention, of whom four shall be Bishops, four shall be Presbyters or Deacons, and twelve shall be Lay Persons who are confirmed adult communicants in good standing (two Bishops, two Presbyters or Deacons, and six Lay Persons to be elected by each subsequent regular meeting of the General Convention); (b) of eighteen members elected by the Provincial Synods; (c) of the following *ex officio* members: the Presiding Bishop and the President of the House of Deputies; and (d) the ~~Vice President~~ *Chief Operating Officer*, the Secretary, ~~and~~ the Treasurer of the ~~Executive Council~~ *General Convention and the Chief Financial Officer*, who shall have seat and voice but no vote. Each Province shall be entitled to be represented by one Bishop or Presbyter or Deacon canonically resident in a Diocese which is a constituent member of

the Province and by one Lay Person who is a confirmed adult communicant in good standing of a Diocese which is a constituent member of the Province, and the terms of the representatives of each Province shall be so rotated that two persons shall not be simultaneously elected for equal terms.

Explanation

Cleans up the language from the intended revisions in 1997.

Resolution A118

Amend Canon I.4.3(d)

The Executive Council, *Blue Book*, 586.

Resolved, the House of _____ concurring, That Canon I.4.3(d) be amended as follows:

The ~~Presiding Bishop~~ *Presiding Bishop* shall appoint, with the advice and consent of a majority of the Executive Council, an ~~executive director~~ *Chief Operating Officer*, who shall be an adult confirmed communicant in good standing or a member of the clergy of this Church in good standing ~~who shall be the chief operating officer and~~ who shall serve at the pleasure of the ~~Presiding Bishop~~ *Chair of the Executive Council* and be accountable to the ~~Presiding Bishop~~ *Chair of the Executive Council*. If a vacancy should occur in the office of the ~~executive director~~ *Chief Operating Officer*, a successor shall be appointed in like manner.

Explanation

Cleans up the language from the intended revisions of 1997.

Resolution A119

Amend Canon I.1.13

The Executive Council, *Blue Book*, 586.

Resolved, the House of _____ concurring, That Canon I.1.13 be amended as follows:

Sec. 13. (a) There shall be an Executive Office of the General Convention, to be headed by a General Convention Executive Officer to be appointed jointly by the Presiding Bishop and the President of the House of Deputies *with the advice and consent of the Executive Council. The Executive Officer shall report to and serve at the pleasure of the Executive Council.*

(b) The Executive Office of the General Convention shall include the functions of the Secretary and the Treasurer of the General Convention and those of the Manager of the General Convention and, if the several positions are filled by different persons, such officers shall serve under the general supervision of the General Convention Executive Officer, who shall also coordinate the work of the Committees, Commissions, Boards and Agencies funded by the General Convention Expense Budget.

Explanation

Currently there is no provision for the Executive Officer to be removed. There needs to be a mechanism to remove this officer.

Resolution A120

Amend Canon I.1.1(b)

The Executive Council, *Blue Book*, 586-87.

Resolved, the House of _____ concurring, That Canon I.1.1(b) be amended as follows:

(b) There shall be a President and a Vice-President of the House of Deputies, who shall perform the duties normally appropriate to their respective offices or specified in these Canons. They shall be elected not later than the seventh day of each regular meeting of the General Convention in the manner herein set forth. The House of Deputies shall elect from its membership, by a

majority of separate ballots, a President and a Vice-President, who shall be of different orders. Such officers shall take office at the adjournment of the regular meeting at which they are elected, and shall continue in office until the adjournment of the following regular meeting of the General Convention. They shall be and remain ex officio members of the House during their term of office. No person elected President or Vice-President shall be eligible for more than three consecutive full terms in each respective office. In case of resignation, death, absence, or inability, of the President, the Vice-President shall perform the duties of the office until ~~a new President is elected.~~ *the adjournment of the next meeting of the General Convention. In case of resignation, death, absence, or inability of the Vice-President, the President shall appoint a Deputy of the opposite order, upon the advice and consent of the lay and clerical members of the Executive Council, who shall serve until the adjournment of the next meeting of the General Convention.* The President shall be authorized to appoint an Advisory Council for consultation and advice in the performance of the duties of the office. The President may also appoint a Chancellor to the President, a confirmed adult communicant of the Church in good standing who is learned in both ecclesiastical and secular law, to serve so long as the President may desire, as counselor in matters relating to the discharge of the responsibilities of that office.

Explanation

Currently there is no provision to fill the office of the Vice-President of the House of Deputies in the case of a vacancy. For the good order of the House of Deputies, it is important that both offices (President and Vice-President) be filled.

Resolution A121

Amend Canon I.4.3(g)

The Executive Council, *Blue Book*, 587-88.

Resolved, the House of _____ concurring, That Canon I.4.3(g) is amended as follows:

(g) Upon joint nomination of the Chair and Vice Chair, the Executive Council shall elect a Joint Audit Committee of the Council and the Domestic and Foreign Missionary Society. The Committee shall be composed of 6 members, one of whom shall be a member of the Executive Council's ~~Committee on Administration & Finance~~ *Standing Committee with primary responsibility for financial matters*, one from the membership of the Joint Standing Committee on Program, Budget and Finance, and the remaining four shall be members of the Church-at-large, having experience in general business practices. The members shall serve for a term of three years beginning on January 1 following a regular meeting of the General Convention or immediately following their appointment, whichever comes later, and continue until a successor is appointed, and may serve two consecutive terms, after which a full triennium must elapse before being eligible for re-election. The Chair and Vice-Chair of Council shall designate the Chair of the Committee from among its members. The Audit Committee shall regularly review the financial statements relating to all funds under the management or control of the Council and the Society and shall report thereon at least annually to the Council and the Society. Upon recommendation of the Audit Committee, the Executive Council shall employ on behalf of the Council and the Society an independent Certified Public Accountant firm to audit annually all accounts under the management or control of the Council and Society. After receipt of the annual audit, the Audit Committee shall recommend to the Council and Society what action to take as to any matters identified in the annual audit and accompanying management letter. The operations of the

Audit Committee shall be set out in an Audit Committee Charter. The Audit Committee shall review, at least annually, the Committee's Charter and recommend any changes to the Executive Council for approval.

Explanation

Executive Council no longer has a Joint Standing Committee on Administration and Finance and may choose to modify its committee names in the future. This provides that flexibility and maintains the spirit of the resolution that a finance committee member be appointed to the audit committee.

Resolution A122

Financial Oversight and Budgeting Process

The Executive Council, *Blue Book*, 588.

Resolved, the House of _____ concurring, That the 77th General Convention direct the Standing Commission on the Structure of the Church to review, and recommend revisions to, Canons and the Joint Rules of Order regarding the financial oversight and budgeting processes of the Domestic and Foreign Missionary Society and The Episcopal Church.

[No explanatory paragraph.]

Resolution A123

Amend Canon I.4.3(e)

Blue Book, 588.

Resolved, the House of _____ concurring, The Canon I.4.3(e) be amended to read:

(e) Upon joint nomination of the Chair and Vice Chair, the Executive Council shall appoint a *Chief* Financial Officer of the Executive Council, who may, but need not, be the same person as the Treasurer of the General Convention and who shall report and be accountable to the Chair of Executive Council and shall serve at the pleasure of the Chair of the Executive Council. If a

vacancy should occur in that office, a successor shall be appointed in like manner.

Explanation

The term currently used is "Chief Financial Officer."

Resolution A124

Amend Joint Rule 10(a)

The Executive Council, *Blue Book*, 588.

Resolved, the House of _____ concurring, That Joint Rule 10(a) be amended as follows:

10. (a) There shall be a Joint Standing Committee on Program, Budget, and Finance, consisting of 27 persons being members of the General Convention (one Bishop, and two members of the House of Deputies, either Lay or Clerical, from each Province), who shall be appointed not later than the fifteenth day of December following each regular Meeting of the General Convention, the Bishops to be appointed by the Presiding Bishop, the Deputies by the President of the House of Deputies.

The Secretary and the Treasurer of the General Convention and the ~~Treasurer~~ *Chief Financial Officer* of the Executive Council shall be members *ex officio*, without vote.

The Joint Standing Committee may appoint advisers, from time to time, as its funds warrant, to assist the Joint Standing Committee with its work.

Explanation

The term currently used is "Chief Financial Officer."

Resolution A126

Consideration of the Anglican Covenant

The Executive Council, *Blue Book*, 590.

Resolved, the House of _____ concurring, That this 77th General Convention express its profound gratitude to

those who so faithfully worked at producing the Anglican Covenant; and be it further

Resolved, That The Episcopal Church commit itself to continued participation in the wider councils of the Anglican Communion and to continued dialogue with our brothers and sisters in other provinces to deepen understanding and to ensure the continued integrity of the Anglican Communion; and be it further

Resolved, That The Episcopal Church recommit itself to dialogue with the several provinces when adopting innovations that may be seen as threatening to the unity of the Communion; and be it further

Resolved, That The Episcopal Church is unable to adopt the Anglican Covenant in its present form.

[No explanatory paragraph.]

Resolution A150

Develop Nine-Year Vision and Budget Cycle

Budgetary Funding Task Force, *Blue Book*, 722-23.

Resolved, the House of _____ concurring, That the 77th General Convention of The Episcopal Church receive and endorse the Report of the Budgetary Funding Task Force, in particular the Task Force's acknowledgement that adequate funding of the budget of The Episcopal Church depends on (1) a compelling statement of our identity as a church, (2) a clearly articulated common vision of our participation in God's mission, and (3) a pervasive accountability of church structures to that identity and common vision so that stewardship and mission are linked; and be it further

Resolved, That steps must be taken to make these three goals an active part of the on-going life of our church; and that specific steps to be considered should include:

- developing a common vision for mission during the triennium immediately preceding the election of a

Presiding Bishop for the purpose of informing the nomination and election process for that office;

- identifying specific goals to be accomplished during the nine-year period corresponding to the term of the Presiding Bishop (the Term Goals);
- holding a joint meeting of the House of Deputies and the House of Bishops at the beginning of the General Convention at which a Presiding Bishop is to be elected so that the goals identified for the coming Presiding Bishop's term may be addressed, amended, and ratified;
- developing a draft budget based on identified goals and presenting the budget of The Episcopal Church in a nine-year cycle to coincide with the term of a Presiding Bishop (the Term Budget);
- reporting on the Term Budget and progress toward accomplishing the Term Goals in a written report on an annual basis to all bishops and deputies to the General Convention, Standing Committees of the Dioceses, members of the Executive Council, members of all other Committees, Commissions, Agencies, and Boards, and posting the report for members of the Church on the website of The Episcopal Church as well as reporting on it by all means available (most especially including personal visits to dioceses and provinces) so as to receive the widest possible circulation;
- reviewing the Term Budget and progress toward the Term Goals at a joint meeting of the House of Deputies and the House of Bishops at each General Convention to encourage accountability and so that the goals may be revised as needed;
- structuring the Church Center staff so as to facilitate the accomplishment of goals over the course of the Presiding Bishop's term, with some positions coinciding with the term of the Presiding Bishop and some being permanent in nature; and

- conducting an in-depth review regarding the accomplishment of the Term Goals during the last triennium of a Presiding Bishop's term; and be it further *Resolved*, That the Standing Commission on Structure and the Joint Standing Committee on Program Budget and Finance develop an implementation plan for a nine-year vision and budget cycle for consideration by the 78th General Convention; and be it further *Resolved*, That the plan include necessary canonical changes and consideration of basing the asking formula on congregational normal operating income and proposals for aligning organizational structures across various levels of the church; and be it further *Resolved*, That the General Convention request the Joint Standing Committee on Program, Budget and Finance to consider a budget allocation of \$30,000 for the implementation of this resolution.

Explanation

The Budgetary Funding Task Force is convinced that the issues related to funding the Church's pursuit of God's mission require a much more creative response than can be achieved by technical solutions such as adjusting the giving formula, mandatory giving standards, or sanctions. Indeed, we believe the failure to meet giving expectations by some dioceses should be understood more as a plea to be included in the work of The Episcopal Church than a negative expression. The work, as we see it, is adaptive in nature and calls for a pervasive articulation of vision formed by a shared sense of our common identity, pervasive communication of the vision, and accountability to and for the vision. The Task Force believes that a nine-year vision and budget cycle, with opportunity for evaluation and amendment at each General Convention, will encourage The Episcopal Church to adopt a long-term perspective regarding mission and goals and permit it to be able to

adapt more nimbly to changing circumstances. Important to the process is the recognition that mission support is most effective at the lowest possible level, the possibility of basing the asking formula on congregational normal operating income, as well as the potential benefit of aligning organizational structures at the various levels of the church., and requests additional work toward this end be included in the budget for the next triennium so that a thorough discussion of specific proposals can take place at the 78th General Convention of The Episcopal Church in 2015, and so that the process can inform the election of a presiding bishop at that Convention.

Same-Gender Blessings and Church Canons

Robert W. Prichard¹

Introduction

The 77th General Convention, which will meet in Indianapolis in July of 2012, will face a number of complicated questions that have canonical implications. Among them will be the consideration of a proposal to authorize trial use of a rite for blessing same-gender relationships.² One way to consider the various implications of this proposal is to ask four questions: (1) what is being proposed? (2) how does this proposal relate to the church's previous experience with trial use? (3) What precedent is there for that which is being proposed? and (4) what options are there for action by future General Conventions?

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² Authors in recent years have been inconsistent in the use of the terms "same-sex" and "same-gender." Some advocates of the first term argue that gender is a grammatical concept that should not be applied to human beings; some advocates of the second term suggest that gender is an appropriate descriptor of social roles, which may or may not (because of transsexuality) equate with biological sex. In recent years, however, the General Convention has used the terms as synonyms. See, for example, General Convention resolution 2003-C051 which refers to "same-sex unions" in the text and to "same-gender relationships" in the title. For the purposes of this article the term "same-gender" will be used throughout, since it is the term favored in the report of the Standing Commission on Liturgy and Music.

What is being proposed?

The proposal concerning the blessing of same-gender relationships (proposed resolution 2012-A049) is found near the beginning of the report of the Standing Commission on Liturgy and Music in the *Report to the 77th General Convention, Otherwise Known as the Blue Book* (2012).³ The proposed rite is contained in a subsection of the Standing Commission's report that is titled *Liturgical Resources I: I Will Bless You and You Will Be a Blessing*. Proposed resolution 2012-A049 asks General Convention to "commend" the subsection for "study and use," but it does not explicitly call for re-publication as a separate document. The prefatory words of the title, however—"Liturgical Resources I"—imply publication as an initial volume in a projected new series of "Liturgical Resources." This series would apparently be distinct from the current *Liturgical Studies* series and from the *Enriching Our Worship* series.⁴ No explicit explanation is offered in the *Blue Book* report as to why a new series is needed.

Liturgical Resources I contains an introduction, appendices, and five sections: a rationale for blessing same-gender relationships, an opinion on the permissibility of such blessings under civil and canon law, educational materials to be used in preparing a couple for a blessing, a liturgical rite, and a guide intended for group discussions.

Proposed resolution 2012-A049 makes four proposals about the use of this material in *Liturgical*

³ Standing Commission on Liturgy and Music, Report in the *Report to the 77th General Convention, Otherwise Known as the Blue Book: Reports of the Committees, Commissions, Agencies, and Boards of the General Convention of the Episcopal Church* (New York: the Office of General Convention of the Episcopal Church, 2012), 168.

⁴ Church Publishing has issued four volumes in the *Liturgical Studies* series (1994-2003) and five volumes of the *Enriching Our Worship* series (1998-2009).

Resources I, which are contained in four resolve clauses. The four resolves are as follows:

Resolved, the House of _____ concurring, That the 77th General Convention commend “Liturgical Resources I: I Will Bless You and You Will Be a Blessing” for study and use in congregations and dioceses of The Episcopal Church; and be it further

Resolved, That the 77th General Convention authorize for trial use “The Witnessing and Blessing of a Lifelong Covenant” from “Liturgical Resources I: I Will Bless You and You Will Be a Blessing” beginning the First Sunday of Advent 2012, under the direction of a bishop exercising ecclesiastical authority; and be it further

Resolved, That bishops, particularly those in dioceses within civil jurisdictions where same-gender marriage, civil unions, or domestic partnerships are legal, may provide generous pastoral response to meet the needs of members of this Church, including adaptation of the liturgy and declaration of intention contained in “I Will Bless You and You Will Be a Blessing”; and be it further

Resolved, That the Standing Commission on Liturgy and Music develop an open process to review “I Will Bless You and You Will Be a Blessing,” inviting responses from provinces, dioceses, congregations, and individuals from throughout The Episcopal Church and from throughout the Anglican Communion, and report to the 78th General Convention.⁵

⁵ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 168.

Given the more restrictive language that follows, the “study and use” in the first resolve clause seems to refer to use of *Liturgical Resources I* in discussion, education, and reflection rather than in worship. The second resolve clause authorizes liturgical use with two important qualifications: it is to be used after Advent 2012 and is to be used “under the direction of a bishop exercising ecclesiastical authority.” The third resolve clause allows bishops to adapt the suggested liturgical rite. The fourth and final resolve calls upon the Standing Commission on Liturgy and Music to “develop an open process” of review.

The rite itself is titled “The Witnessing and Blessing of a Lifelong Covenant: Liturgical Resources for Blessing Same-Gender Relationships.” The service is preceded by a set of rubrics “concerning the service.” It is then structured in a manner roughly parallel to the Celebration and Blessing of a Marriage in the *Book of Common Prayer* (1979).

The covenant blessing opens with a gathering rite that includes an exhortation about the “union” for which the couple seeks a blessing. The gathering rite lacks any parallel to the marriage service in the *Book of Common Prayer’s* inquiry as to whether the couple or congregation know any “just cause why they may not lawfully be married.” It also lacks any parallel to the promises of betrothal in the marriage service (i.e. the statement of intention to marry that once marked the beginning of engagement but which since 1549 has taken place at the beginning of the marriage service). It is in the marriage service’s betrothal that the promises of exclusivity are made: “Will you....*forsaking all others*, be faithful to him/her as long as you both shall live?”⁶

⁶ *Book of Common Prayer* (1979), 424 (emphasis added).

Not all of the material absent in the gathering is missing from the covenant blessing as a whole. Portions of material parallel to the betrothal in the *Book of Common Prayer's* marriage rite are found later in the service in a section titled "The Witnessing of the Vows and the Blessing of the Covenant." There is a statement there of the intention to enter a holy relationship, as well as the community's promise of support and an optional presentation.

The gathering rite is followed by the Ministry of the Word. Four possible collects are suggested, the first of which is based upon the collect in the *Book of Common Prayer's* marriage service. Five possible Old Testament lessons (none of which are suggested in the marriage service), 10 Psalms (including 2 of the 3 in the marriage service), 8 New Testament lessons (including 4 of the 5 in the marriage service), and 5 Gospel lessons (including 2 of the 5 in the marriage service) are suggested. The rubric that proceeds the lessons makes specific reference to circumstances in which the rite is celebrated at "the principle Sunday worship of the congregation," a situation to which the *Book of Common Prayer's* marriage service makes no explicit reference.

"The Witnessing of the vows and the Blessing of the Covenant" follows the sermon. As noted above, this section of service contains material located in the betrothal in the marriage service: the indication of intention to live in a holy relationship, the declaration of community support, and an optional presentation. It also contains a set of prayers, which in the case of the marriage service follows the nuptial vows.

Intention to enter into a holy relationship is indicated by a declaration and a pair of questions:

Presider: N. and N., you have come before God and the Church to make public your commitment to one another and to ask God's blessing.

The Presider addresses one member of the couple [and then the other].

Presider: N., do you freely and unreservedly offer yourself to N.?

Answer: I do.

Presider: Will you live together in faithfulness and holiness of life as long as you both shall live?

Answer: I will.⁷

This exchange does include the intention to live “in faithfulness and holiness of life as long as you both shall live.” The explicit promise to forsake all others that is found in the betrothal in the *Book of Common Prayer* marriage rite is found later in the commitment section of the service.

A set of petitions for the church and the world, and the Lord’s Prayer follow. The petitions are roughly parallel to the prayers of people in the marriage service.⁸ The petitions include, however, an optional set of additional petitions based on themes in the *Book of Common Prayer’s* baptismal service: “For those who have been reborn and made new in the waters of baptism...for those who seek justice, peace, and concord,” etc. A concluding collect, for which there is no parallel in the marriage service, asks that the couple be given “a share in the saving work of Jesus.”⁹

The service concludes with an act of commitment, a blessing of rings or symbols, a pronouncement, a priestly blessing, the peace, and directions for the celebration of the Eucharist. The act of commitment includes a promise to “honor and keep with the Spirit’s help: forsaking all others, as long as we

⁷ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 244.

⁸ *Book of Common Prayer* (1979), 429-30.

⁹ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 246.

both shall live.” After the blessing of rings or other symbols as “enduring signs of the covenant N. and N. have made this day,” the presider announces “that they are bound to one another in a holy covenant, as long as they both shall live.” In the blessing, the priest gives thanks for “the covenant of faithfulness they have made,” asks for pouring out of the “abundance of [the] Holy Spirit upon them,” invokes the name of the Trinity to “bless, preserve, and keep” them, and asks that God make them “a sign of the loving-kindness and steadfast fidelity manifest in the life, death, and resurrection of our Savior.” The optional postcommunion prayer that is included for the celebration of the Eucharist gives thanks for the example of “holy love” provided by the couple.¹⁰

The rite does not include any parallel to the publication of the banns in the Marriage Service.¹¹

Previous experience with trial use

Prior to 1964, the General Convention approved changes in the text of the *Book of Common Prayer* without any prior liturgical use. Texts were circulated for discussion and study, but they were not actually employed in worship until authorized by two successive sessions of General Convention. This situation changed in 1964 with the adoption of an amendment to article x of the Constitution of The Episcopal Church, which deals with revisions in the *Book of Common Prayer*. The new provision, which had been proposed and adopted on first reading in 1961, expanded the article to include a section on “trial use throughout this church.” This new section authorized members of the church to use “a proposed revision of the whole Book [of Common Prayer] or any portion therefore, duly undertaken by the

¹⁰ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 247-49.

¹¹ *Book of Common Prayer* (1979), 437.

General Convention.”¹² The intent was that the people of the church use and reflect upon the proposed material for a specified period of time, as steps in its improvement and eventual adoption. It was this alteration in article x that made trial use of the *Liturgy of the Lord’s Supper* (1967), *Services for Trial Use* (“the Green Book,” 1971), and *Authorized Services* (“the Zebra Book,” 1973) possible in the years leading up to the adoption of the *Book of Common Prayer* (1979).

The General Convention of 1982 made a further change in provisions concerning the liturgy. That convention added an oblique reference to two other liturgical volumes in Canon II.3 “Of the Standard Book of Common Prayer.” That canon had been amended in 1931 in response to the *American Missal* in order to forbid publication of the prayer book or portion of the prayer book in a volume that “contains or is bound up with any alterations thereof or additions thereto, or with any other matter, except Holy Scriptures or the authorized Hymnal of this Church.”¹³ The 1982 convention added a phrase to the canon with precisely the opposite intention of the 1931 revision—i.e. as a means of authorizing certain liturgical texts outside of the *Book of Common Prayer* rather than preventing them. It did so by expanding the list of works that might be bound with the prayer book to include “material set forth in the Book of Occasional Services and The Proper for the Lesser Feasts and Fasts.” The expansion of the canon made clear what was not otherwise to be found in the canons—i.e. that General Convention could “authorize from time to time” editions of the *Book of Occasional*

¹² Constitution of the Episcopal Church, article x, section b.

¹³ Edwin Augustine White and Jackson A. Dykman, *Annotated Constitution and Canons for the Government of the Protestant Episcopal Church in the United States of America otherwise known as The Episcopal Church*, 1981 edition, 2 vols. (New York: Seabury Press, 1982), 1:449-50.

Services and Lesser Feasts and Fasts.¹⁴ Unlike the prayer book, the material in the two volumes would be adopted or changed by a single General Convention.¹⁵

Adoption of an approved edition of the *Book of Common Prayer* in 1979 and the insertion of a reference to the *Book of Occasional Services and Lesser Feasts and Fasts* in the canons in 1982 did not, however, bring an end to all trial use. On the contrary, every convention since 1979 has approved some text—ecumenical proposals, new pastoral rites, proposed additions to the church calendar, rites in which the use of male and female language has been reworked—for trial use. The most notable, but by no means sole, example of this post-1979 trial use has been the *Enriching Our Worship* series, which has been repeatedly approved by General Conventions since 1997 and now includes 5 separate volumes.

General Conventions have, however, been somewhat uncertain about this post-1979 trial use. Some have argued that trial use is only appropriate as part of an explicit program of prayer book revision. According to this theory, long-term use of texts apart from formal preparation of a new edition of the *Book of Common Prayer* falls outside of the provisions of article x of the Constitution. The General Convention of 1991 apparently accepted this argument and offered a solution: it adopted resolution 1991-A121, which would have added a new category of liturgical material to article x of the Constitution: “forms of worship on an

¹⁴ General Convention, *Journal*, 1982, C-8.

¹⁵ The addition to the canon made no explicit reference as to how these works were to be approved. Prior to the 1982 canonical change, however, single sessions of General Convention had already approved publication of *Lesser Feasts and Fasts* (first edition, 1963), the *Book of Occasional Services* (first edition 1979), and its predecessor *The Book of Offices* (first edition 1939). This practice of action by a single convention continued after the adoption of the canonical change.

experimental basis.”¹⁶ The 1991 General Convention began to use this category even though a new constitutional change required approval by a second convention; it adopted resolution 1991-A115 authorizing experimental use of *The Common Baptismal Liturgy* of the Consultation on Common Texts.¹⁷ The action turned out to be premature. The General Convention of 1994 rejected the proposed constitutional revision for worship on an experimental basis, when it came up on the required second reading.

Subsequent sessions of General Convention have responded to the rejection of the category of experimental use in one of two ways. The first strategy has been simply to disregard the action of the 1994 convention. The convention of 2006 adopted resolution A067-2006, for example, approving the “experimental use” of a set of liturgies related to rites of passage¹⁸ At the upcoming General Convention, the Standing Commission on Liturgy and Music is following suit, offering resolution 2012-A055, which calls for approval of “experimental use” of a text called “Daily Prayer for All Seasons.”¹⁹

The second response to the 1994 action has been to continue to use the terminology of trial use, while adding restrictions that did not apply to the pre-1979 experience. The introductory essay on use in *Enriching Our Worship I* states, for example, that “supplemental liturgical materials may only be used with the

¹⁶ General Convention, *Journal of the General Convention of . . . The Episcopal Church, Phoenix, 1991* (New York: General Convention, 1992), 405.

¹⁷ General Convention, *Journal . . . 1991*, 841.

¹⁸ See General Convention, *Journal of the General Convention of . . . The Episcopal Church, Columbus, 2006* (New York: General Convention, 2007), 677-82.

¹⁹ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 172.

permission of the diocesan bishop.”²⁰ Similarly, the authorizing legislation for the use of the most recent volume of the *Enriching Our Worship* series, *Rachel’s Tears, Hannah’s Hopes*, specifies that is to be used “under the direction of the diocesan bishop or ecclesiastical authority.”²¹ The Standing Commission on Liturgy and Music’s proposal regarding *Liturgical Resources I* follows this strategy, for, as suggested above, it imposes two important qualifications on trial use: it is only to be used after Advent 2012 and in accordance with the “direction of a bishop exercising ecclesiastical authority.”

Proposed trial use of *Liturgical Resources I* does, in large measure, conform to other experiences The Episcopal Church has had since 1979—i.e. it is an expansion on the original idea of trial use as discrete preparation for a proposed revisions of the *Book of Common Prayer*. Nevertheless, the third resolve of Proposed 2012-A049 does differ from post-1979 trial use in an important way—it allows bishops to adapt the rite.

The Standing Commission on Liturgy and Music justifies this adaption by appealing to the concept of a “pastoral response.” The General Convention has been using the language of “pastoral response” for the past decade. In 2000, for example, the Committee on Committees and Commissions submitted proposed resolution 2000-D003, which called for the creation of a “Standing Commission for Pastoral Response to Conflict,” which was apparently intended to study any conflict arising in the church and to “work for pastoral understanding among conflicting parties” involved. The resolution failed. The phrase appeared again in the

²⁰ *Enriching Our Worship: Supplemental Liturgical Materials Prepared by the Standing Liturgical Commission* (New York: Church Publishing, 1998), 14.

²¹ Resolution 2009-A088. See General Convention, *Journal of the General Convention of . . . The Episcopal Church, 2009* (New York: General Convention 2009), 771.

revision to Title IV in proposed resolution 2006-A153. That resolution also failed to pass in the form in which it was presented; the convention adopted a substitute resolution that called for further study. A reworked proposal for the revision of the Title IV canons was introduced in 2009, however, and passed. The canons that were part of that revision used the language of “pastoral response” extensively; the expression showed up 14 times.

The new Title IV canons clarified the expression in both a positive and a negative way. From a positive perspective, a pastoral response was identified as one that embodies “respect, care and concern for affected persons and Communities,” and is “designed so as to promote healing, repentance, forgiveness, restitution, justice, amendment of life and reconciliation among all involved or affected” (2009 Canon IV.8[1]). From a negative point of view, it apparently is an action taken “in lieu of disciplinary action” and involves not “advancing proceedings”(2009 Canons IV.2).²²

²² This idea that being pastoral is antithetical to taking judicial action dates back to a trend in post-World II seminary education. As E. Brooks Holifield has explained, “the psychologists and social critics who informed postwar pastoral theology—Erich Fromm, Karen Horney, Carl Rogers, and others—tended to view most social institutions as bureaucratic impositions on human freedom and dignity,” and as a result post-war pastoral theologians no longer “supposed that social institutions, however much in need of periodic reform, both promoted and guided the growth of individuals.” The pastoral response was often to ignore institutional standards and expectations. By the late 1960s, some pastoral theologians attempted to correct this perception by speaking of the role of pastoral judgment and confrontation. They may not, however, have been able to reverse perceptions of the meaning of the word “pastoral.” By the 1990s some authors had abandoned the label “pastoral theology” altogether for the alternative of “practical theology,” a term also had the advantage of suggesting that some besides pastors were practicing the craft. See Holifield, *A History of Pastoral Care in America from Salvation to Self-Realization* (Nashville: Abingdon, 1963), 260, 321. On the use of the term “practical theology,” see Don S. Browning, *A Fundamental*

General Convention's call for a pastoral response to contemporary circumstances would seem, therefore, to be a call to show "respect, care and concern for affected persons," while not worrying unduly about the current canonical definitions and standards. To put it another way, a decision for a pastoral response is a decision to suspend enforcement of the current canons and definitions. The adoption of a pastoral response gives bishops freedom to broker arrangements that meet what they perceive to be the needs of "affected persons."

General Convention resolution 2009-C056 added the qualifier "generous" to the phrase "pastoral response." That 2009 resolution read as follows:

Resolved, That the 76th General Convention acknowledge the changing circumstances in the United States and in other nations, as legislation authorizing or forbidding marriage, civil unions or domestic partnerships for gay and lesbian persons is passed in various civil jurisdictions that call forth a renewed pastoral response from this Church, and for an open process for the consideration of theological and liturgical resources for the blessing of same-gender relationships; and be it further

Resolved, That the Standing Commission on Liturgy and Music, in consultation with the House of Bishops, collect and develop theological and liturgical resources and report to the 77th General Convention; and be it further

Resolved, That the Standing Commission on Liturgy and Music, in consultation with the House of Bishops, devise an open process for the conduct of its work inviting participation from provinces, dioceses, congregations and individuals who are

engaged in such theological work, and inviting theological reflection from throughout the Anglican Communion; and be it further

Resolved, That bishops, particularly those in dioceses within civil jurisdictions where same-gender marriage, civil unions or domestic partnerships are legal, may provide *generous pastoral response* to meet the needs of members of this Church; and be it further

Resolved, That this Convention honor the theological diversity of this Church in regard to matters of human sexuality; and be it further

Resolved, That the members of this Church be encouraged to engage in this effort.²³

The third resolve of proposed 2012-A049 picks up on the idea of a generous pastoral response. That resolve reads as follows:

Resolved, That bishops, particularly those in dioceses within civil jurisdictions where same-gender marriage, civil unions, or domestic partnerships are legal, may provide *generous pastoral response* to meet the needs of members of this Church, including adaptation of the liturgy and declaration of intention contained in "I Will Bless You and You Will Be a Blessing."²⁴

In this case a generous pastoral response is linked to the ability to adapt proposed texts while apparently suspending enforcement of any conflicting ordination promises or canons. On the contrary, Bishops are given *carte blanche* to adapt the rite and the declaration of

²³ General Convention, *Journal . . . 2009*, 780 (emphasis added).

²⁴ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 168.

intention for those using it. The resolution's suggestion that this adaptation is particularly relevant within "dioceses within civil jurisdictions where same-gender marriage, civil unions, or domestic partnerships are legal" suggests at least one form of adaptation. In its current form neither the rite for same-gender blessing nor the Declaration of Intention refers to "marriage" or to "civil unions." Presumably, it is this language that might be added to the rite, where it the secular law recognizes those categories.

This is the precisely the point that is made in the section of the Standing Commission on Liturgy and Music report titled "The Church's Canon law and Laws of the States." That section of the report envisions a series of possible scenarios. Scenarios A and B are of a "state that authorized same-gender civil marriage." In such a case, the report suggests, a bishop might authorize a priest both to "officiate at the civil marriage and celebrate the proposed liturgy." This section of the report on canons makes it clear, however, that it is the proposed trial liturgy that is to be adapted and not the current marriage service. "Both the rubrics of the *Book of Common Prayer* and Canon I.18," the section explains, "reserve the rite of Holy Matrimony to a man and a woman. This is not subject to the discretion of either a bishop or priest."²⁵

While the drafters of proposed resolution 2012-A049 seem to have alterations of the proposed rite to fit the circumstance of states "that authorize same-gender civil marriage" in mind, the resolution itself does not place any explicit limits on the generosity of bishops. This is a departure from earlier trial use.²⁶

²⁵ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 220.

²⁶ One could point to the Order for Celebrating the Holy Eucharist, Order for Marriage, and Order for Burial in the *Book of Common Prayer* (1979) for examples of services that currently allow for considerable

Precedent for the content being proposed

The clearest parallel to the current proposal about same-gender marriage is the extended debate in the church over the possibility of remarriage of a person with a living former spouse. From 1868, when the first canon on marriage was adopted, until 1931, when a revised marriage canon was adopted, the General Convention forbade the remarriage of a divorced person whose former spouse was still living with one exception, which was based on Matthew 5:32: “the innocent party in a divorce for the cause of adultery.”²⁷ In 1931, however, the General Convention began to change this standard. In that year the convention adopted a revised canon, which took an approach similar to that of the Roman Catholic Church today. The 1931 canon listed a series of impediments on the basis of which a church court might declare that a first marriage was not valid in the eyes of the church and that the persons involved might therefore be free to remarry in the church.²⁸ Subsequent conventions added to the list of those impediments.²⁹

flexibility in use. These orders were not included in the trial use liturgies that preceded 1979, however, and did not allow improvisation on such basic questions as whether they constituted a marriage service. With Proposed 2012-A049, General Convention would appear to be moving in a new direction with trial use.

²⁷ Matthew 5:32 (NRSV) reads, “But I say to you that anyone who divorces his wife, except on the ground of unchastity, causes her to commit adultery, and whoever marries a divorced woman commits adultery.” The so called *Matthean exception* allowing remarriage of the innocent party appeared in the first marriage canon in 1868. See White and Dykman, *Annotated Constitution and Canons*, 1:399.

²⁸ White and Dykman, *Annotated Constitution and Canons*, 1:406-07.

²⁹ The 1937 convention added “sexual perversion . . . undisclosed to the other” prior to marriage. In 1946—a point in which the material on marriage and remarriage had already been subdivided into two canons—the General Convention added “concurrent contract inconsistent with the contract constituting canonical marriage” and “attendant conditions: error as to the identify of either party, fraud, coercion or duress, or such defects of personality as to make competent

The 1943 General Convention made an interesting decision that might have implications for the current discussion about the status of same-gender relationship. It abandoned the effort to contain the subjects of marriage and remarriage in a single canon and created a new canon titled "Of Regulations Respecting Holy Matrimony and the Impediments Thereto," which dealt with remarriage after divorce.

The separation of canons made it possible for the Church to expand on its teaching about the permanence of marriage in Canon I.17 without the obvious conflict of doing so in the context of a canon that also provided for remarriage after divorce. The General Convention revised Canon I.17 on marriage in both 1946 and 1949. In 1946, the requirement that at least one of the persons married be baptized, the provision that "it shall be within the discretion of any Minister of this Church to decline to solemnize any marriage," and the requirement for clergy instruction in the nature of marriage were added. The convention of 1949 added the requirement that couples to be married sign a declaration that they "hold marriage to be a lifelong union of husband and wife as it is set forth in the Form of Solemnization of Holy Matrimony in the Book of Common Prayer."³⁰

The 1949 General Convention provided for a further separation between marriage and remarriage. Because of the long delays and uncertainty involved, most of those seeking at that time to have a remarriage after divorce blessed in the church went first to the court for a secular marriage. *The Book of Common Prayer* (1928) had made no explicit provision for a marriage in such

or free consent impossible." See White and Dykman, *Annotated Constitution and Canons*, 1:410-12.

³⁰ White and Dykman note that Canon 41 of 1931 had also included a provision for instruction in marriage. See White and Dykman, *Annotated Constitution and Canons*, 1:411-15.

conditions. The General Convention adopted such a form, but did not seek to include it in the *Book of Common Prayer*; instead it added it to the second edition of the *Book of Offices: Services for Certain Occasions not provided for in the Book of Common Prayer*.³¹ The book, approved by General Convention and first published in 1939, served roughly the same function as the current *Book of Occasional Services*. It contained material not found in the *Book of Common Prayer* (1928). By additional a service to the *Book of Offices* and creating a separate canon the General Conventions of the 1946 and 1949 provided for the possibility of blessing some marriages after divorce, while at the same time leaving a prayer book and a canon that characterized marriage as life-long.

That situation remained unchanged until the 1970s, when General Conventions made further alterations. The General Convention of 1973 adopted a sweeping revision of the remarriage canon, making the decision on remarriage more dependent on the health of the relationship into which a couple hoped to enter than on the defects of any previous relationships, thereby making remarriage after divorce more generally available in The Episcopal Church. The 1979 General Convention added the Blessing of a Civil Marriage to the prayer book itself, ending the separation of rites for marriage and blessing into separate volumes.³² The

³¹ *The Book of Offices: Services for Certain Occasions not provided for in the Book of Common Prayer, Compiled by the Liturgical Commission and commended for use by General Convention*, second edition (New York: the Church Pension Fund, 1949).

³² In any case, attitudes had changed by the 1970s and a civil marriage followed at a later point by the Blessing of a Civil Marriage was no longer the favored strategy for couples that included a divorced person. Couples were by that point far more willing to live together prior to marriage. See Robert W. Prichard, *Cohabiting Couples and Cold Feet* (New York: Church Publishing, 2008), 12-14 for a discussion on changing patterns of premarital cohabitation.

conventions of the 1970s left the dual canons on marriage and re-marriage in place, however.

Options for action by future General Conventions

If the decisions of the past four General Conventions are any indication of events to come, then it is extremely likely that the 77th General Convention will approve the trial use of a same-gender blessing for which the Standing Commission on Liturgy and Music is asking. This would be a logical progression, given the decisions of the 73rd (2000-D039 affirmed that “there are currently couples in the Body of Christ and in this Church . . . living in . . . life-long committed relationships [other than marriage].”), 74th (2003-C045 consented “to the ordination and consecration of the Rev. Canon V. Gene Robinson as Bishop Coadjutor of the Diocese of New Hampshire); 75th (2006-A167 pledged “to include openly gay and lesbian persons on every committee, commission or task force developed for the specific purpose of discussing issues about sexuality.”), and 76th General Conventions (2009-C056 directed that “the Standing Commission on Liturgy and Music, in consultation with the House of Bishops, collect and develop theological and liturgical resources [for the blessing of same gender relationships].”)

Trial use is, however, only an intermediate step in the direction of a more permanent solution. The church might, of course, prolong trial use for an extended period of time, as it has with the *Enriching Our Worship* series. Same-gender blessings, however, involve potential conflicts with the existing *Constitution and Canons* and *Book of Common Prayer* that are not to be found in the *Enriching Our Worship* series. Both the *Canons* and the *Book of Common Prayer* identify marriage as a union of a man and woman. The Introduction to the *Book of Common Prayer's* “Celebration and Blessing of a Marriage,” for example, defines marriage as a “covenant

between a man and a woman,” and the service itself refers to the male and female partners multiple times.³³ Canon I. 18 repeats the identification of marriage as “a physical and spiritual union of a man and a woman” (section 2b) and requires those to be married to sign a declaration that they “hold marriage to be a lifelong union of husband and wife as it is set forth in the Book of Common Prayer” (section 3e).

Canon I.18 also limits marriage to situations in which “both parties have the right to contract a marriage according to the laws of the State” (section 2a). Currently, only 6 states and the District of Columbia would meet this test of legality. In contrast, 38 states have adopted explicit prohibitions against same-gender marriage, in most cases in their constitutions.³⁴

The General Convention faces the same options that it did in the 1940s. The convention can either rework the canon on marriage and the service of marriage in the *Book of Common Prayer* to be accommodating of both heterosexual and same-gender marriages, or it can approve a separate canon and a separate rite. As has been indicated above, the General Conventions of the 1940s chose the separate canon and rite approach for remarriage after divorce. Conventions

³³ The services refers to “the joining together of this man and this woman in Holy Matrimony” (423), “the union of husband and wife” (423), “this man and woman who come to you [God] seeking your grace” (425), “this man and this woman whom you make one flesh” (429), and “the union of man and woman” (430).

³⁴ Then situation is, however, constantly changing. North Carolina joined the list of states with constitutional provision against same sex-marriage in May 2012. Legislatures in Washington and Maryland have passed legislation approving of same-gender marriage; in both cases the laws will need to pass voter referendums in November 2012 in order to become effective. See the National Conference of State Legislatures, “Defining Marriage: Defense of Marriage Acts and Same-Sex Marriage Laws (Updated June 2012)”, <http://www.ncsl.org/issues-research/human-services/same-sex-marriage-overview.aspx> (accessed June 26, 2012).

thirty years later did amend that approach by moving the rite for the Blessing of a Civil Marriage into the *Book of Common Prayer*. The separate canon remains, however.

Reworking existing canons and marriage service. The reworking of the canons and the *Book of Common Prayer* is the most time consuming of the two options. Article x of Constitution requires approval by two successive meetings of General Convention with the vote in the House of Deputies by orders.³⁵ General Conventions have, moreover, been resistant to alterations in specific portions of the *Book of Common Prayer*, apart from a more general review of the book's entire contents. The exception to this general rule of opposition to specific changes is the matter of lectionary texts, a specific provision for which has been part of the canons since 1877.³⁶

The marriage canons would also have to be thoroughly reworked in order to cover both heterosexual and same-gender marriage. Even clergy living in jurisdictions where same-gender marriage is

³⁵ *Constitution and Canons* (2009), article x.

³⁶ For a recent example of the General Convention's unwillingness to consider revision of one single portion of the *Book of Common Prayer* see 2009-C077 (rejected). The provision for revision of the lectionary in article x does not explicitly cover a circumstance arising from adopting the Revised Common Lection in 2006. The *Book of Common Prayer* includes specific lessons assigned in the texts of Proper Liturgies for Special Days. The Standing Commission on Liturgy and Music has taken the position in proposed resolution 2012-A059 that approval of two successive conventions would be needed in order to change the listing of those lessons, which currently are not in agreement with the lessons found in the Lectionary in the back of the prayer book. See White and Dykman, *Annotated Constitution and Canons*, 1:133; Standing Commission on Liturgy and Music, Report in *Blue Book 2012*, 174-76; and Archives of the Episcopal Church, "Digital Archives: The Acts of Convention," http://www.episcopalarchives.org/cgi-bin/acts/acts_resolution-complete.pl?resolution=2009-C077 (accessed June 26, 2012).

legal face potential difficulties in using the language of marriage. The section of the Standing Liturgical Commission's report on law and canons opines that both "*the structure and text* of parts of Canon I.18 [on marriage] may be interpreted as not authorizing a member of the clergy to officiate at a civil marriage where the couple is not eligible for Holy Matrimony, e.g. a civil marriage of a same-gender couple."³⁷ A revision of Canon I.18 would have to include both the text and the structure of the canon.

A new canon and rite. The second option for authorizing blessing of same-gender relationships might be less time-consuming. When the General Convention moves same-gender blessings from trial use to some more permanent status, the least complicated course might be for the convention to follow the example of the 1940s and create a separate new canon that deals with same-gender blessings and a separate approved rite.

The separate canon could deal with the same kind of practical issues covered in the Canon I.18 on marriage. These might include the relationship to the laws of the state and the requirement for free consent, the baptism of at least one party, advanced notice, instruction, the signing of a declaration of intention, and record-keeping. The canon might also cover any requirement for episcopal approval and a provision allowing a clergyperson the discretion to decline to preside.

General Convention would need to decide whether such a new canon would contain provisions for persons previously married or previously joined in a covenant relationship with someone still living, or whether, following the example of heterosexual

³⁷ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 220 (emphasis added).

marriage, such provisions might be contained in second new canon.

A clearly drafted canon or canons would probably answer the question raised in the section of the standing committee report on canons and civil law: would a person presiding at a same-gender marriage in a state that allowed such relationships violate Canon I.18 on marriage, which "may be interpreted as not authorizing a member of the clergy to officiate at a civil marriage where the couple is not eligible for Holy Matrimony," which "both the rubrics of the Book of Common Prayer and Canon I.8 reserve to a man and a woman?"³⁸ If there were a new canon or canons on the blessing of same-gender relationships, the interpretive principle that a specific provision controls a more general one would suggest that the new canon would prevail over any implication based on Canon I.18.³⁹ If the new canon and rite avoided the language of marriage and Holy Matrimony, as the current proposed trial rite does, the argument that there was no violation of canon I.18 would be even stronger.

As in the case of a potential separate canon, the General Convention might decide on the use of the use of a separate rite as a permanent policy, and not simply a short term strategy for a trial period. If taking this route, the convention might follow the lead of General Convention of 1949 and approve that separate liturgy for inclusion in the *Book of Occasional Service*. That approach would have the advantage of requiring the action of only a single session of General Convention.

The Standing Commission on Liturgy and Music may already be preparing for this eventuality. Proposed

³⁸ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 220.

³⁹ For an explanation of this statutory principle see Jabez Gridley Sutherland, *Statutes and Statutory Construction*, ed. Norman J. Singer, 6th edition (West Group, 2000), §51.05.

resolution 2012-A056 calls for the commission “to continue its work on a revision of the Book of Occasional Service and report its progress to the 78th General Convention” of 2015. The introduction and accompanying explanation for this 2012 resolution note that although the Standing “Commission reviewed all services in the current Book of Occasional Service and suggested changes, additions, and deletions to guide the work of the subcommittee, . . . this project has been slow to gain traction beyond its preliminary stage.” The Standing Commission called “a full report with recommendations to General Convention in 2015” “a realistic goal,” however.⁴⁰ A delay until 2015 may give the Standing Committee time to present a text of the Book of Occasional Services that includes a same-gender blessing.

Conclusion

The General Convention faces considerable challenges in dealing with the blessing of same-gender unions. The experience of the General convention in the 1940s with remarriage after divorce may, however, provide a useful model best in seeking to navigate those challenges.

⁴⁰ Standing Commission on Liturgy and Music, Report in *Blue Book* (2012), 172-73.

Notes and Resources

- Upcoming events for Chancellors:
 - The National Chancellors Dinner, which the President of the Episcopal Chancellors' Network characterizes as "the high point of every General Convention," is scheduled for Tuesday, July 10, 2012, in Indianapolis, Indiana. It is open to all members of The Episcopal Chancellors Network and spouses/partners.
 - The Province IV Bishops and Chancellors Conference will be held in October, 2012, in Savannah, Georgia. It is open to all Chancellors and Vice-chancellors as well as Bishops of the Province.

For more information on either of these events please contact Lawrence R. Hitt II, President of The Episcopal Chancellors Network, at LRHitt2@msn.com.

- In February Westlaw Publishers released a thorough update of William W. Bassett, W. Cole Durham, and Robert T. Smith's *Religious Organizations and the Law*. The loose-leaf volumes, first published in 1997, trace secular court decisions concerning churches and the exercise of religion. The recent updating expands the work from two to four volumes and, according the Westlaw, adds "substantially new chapters on bankruptcy and intellectual property while providing extensive new discussions on immigration, employment, taxations, marriage and family law." Changes in the sections on church property have also been made in order to take recent litigation into account. For details on the work see

<http://store.westlaw.com/religious-organizations-law/4314/13516709/productdetail>.

- In April a Reference Panel for Bishops made the decision to forward to a Conference Panel a complaint from Province III by a priest about the way in which his bishop had applied the Title IV Disciplinary Canons, which came into effect on July 1, 2011.
- On June 18, 2012 the Supreme Court of the United States denied *certiorari* on two cases that had pointed to inconsistency in the way in which state courts have been dealing with the application of “neutral principles” to church matters. The petitions for Bishop Seabury Church in Connecticut and the Timberridge Presbyterian Church in Georgia are currently posted on the Stand Firm web site at http://standfirminfaith.com/media/Seabury_Petition_for_Certiorari.pdf and http://standfirminfaith.com/media/Timberridge_Petition_for_Certiorari.pdf